

# Concordia Student Union

Union étudiante de Concordia



## Concordia Student Union 2002-03 executive releases *CSU Report on Racism and Discrimination*

Thursday, May 28 – As it prepares to leave office at the end of this week, the Concordia Student Union 2002-03 executive has released its long-anticipated *Report on Racism and Discrimination: An Investigation into the Treatment of Arab and Muslim students at Concordia University*. The report is the CSU's attempt to deal with the serious allegations of racism against Arabs and Muslims that have been leveled inside this university. A March 5<sup>th</sup> general assembly resolution passed by Concordia's student body that called for an independent and public inquiry into all forms of racism and discrimination on campus has thus far been rebuffed by Concordia's senior administration. In the face of administration intransigence, the CSU has put together its own report.

The report details in great lengths cases of clear racist double-standards against Arab and Muslim students at this university. Pro-Palestinian students in particular have been targeted, with arbitrary and unfounded arrests and lifetime bans from the university, often with little or no form of due process whatsoever granted to them. In this respect, the report notes that while Concordia has admirable and progressive practices in many key areas of racial diversity and equality, it has still has a long way to go.

CSU President Sabine Friesinger stated: "We hope that the report will be an eye opener for Concordia's administration, encouraging them to reflect on practices and policies that many students regard as racist. A serious self-examination on the administration's part will no doubt go a long way to easing the mistrust that many students feel over its oft-draconian and harsh punishments of student activists, particularly Arab and Muslim ones."

For more information, contact CSU VP Campaigns Aaron Maté at (514) 848-7970.

# CONCORDIA STUDENT UNION REPORT

## ON RACISM & DISCRIMINATION:

An Investigation into racial discrimination against  
MUSLIM and ARAB Students at Concordia University.

Concordia Student Union  
May 2003



**CONCORDIA STUDENT UNION REPORT  
ON RACISM & DISCRIMINATION:  
An Investigation into the treatment of  
Muslim and Arab Students at Concordia University**

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# FOREWORD

As the Concordia Student Union prepared to print this report, the Canadian Jewish News published an illuminating article recounting a recent speech delivered by Concordia Rector Frederick Lowy to members of the Canadian Royal Legion ("Concordia asks Quebec to decertify student union", April 25 2003). Outlining his take on student activism at Concordia, Rector Lowy's comments provide invaluable insight into the many issues and concerns that this report on racism and discrimination attempts to address.

The Rector says "the administration is deeply concerned about the 'anarchists' who have controlled the CSU for the past three years," Janice Arnold reports. He describes how this group of largely part-time students came to power by forging an alliance with Arab and Muslim students: "They entered a pact: You vote for us, we will support your causes... For the Muslims, that was principally the Arab-Israeli conflict." The Rector added that "it is not known precisely how many Muslim students are at Concordia, but the university estimates they account for about 3,000 of its 29,800 students."

Predominant in this Anarchist-Muslim alliance are the "pro-Palestinians", the Rector notes, who, in his view, have been the principal "aggressors" on campus. Thankfully, he informs the crowd, while their propaganda has been "very intense", only a minority "of Muslim students identify with terrorist groups like Hamas. But that could change, he thinks, depending on the Muslim political opinion worldwide and the outcome of the Iraq war."

The Rector's remarks conform to the basic tone of "acceptable" discourse regarding Concordia student politics, particularly as it relates to Middle East-related issues. The Concordia Student Union has been lambasted over the past few years largely out of its association with causes that include calling for the basic rights of Arab peoples. The criticism has come from a wide variety of sources.

At one end of the spectrum, the B'Nai Brith, a North American organization whose admirable Holocaust awareness work is unfortunately accompanied with virulent anti-Palestinian jingoism, has openly wondered

whether "individuals who may have links to extremist groups have infiltrated Concordia and its student union, and are purposefully stirring up hostility and civil disorder" in a press release calling for the union to be investigated by the Gouvernement du Québec.

Others have provided a broader criticism of the CSU for its involvement in external political issues, arguing that elected student leaderships should not be involved in world affairs. Interestingly though, the sentiment, which has been trumpeted numerous times by the administration, lobby groups, media commentators, and some members of the student body, has only seemed to apply to one particular issue: the Israel/Palestine conflict. Thus, when the CSU Council of Representatives passed a motion condemning the Chinese government for its persecution of the country's 70 million Falun Gong practitioners, no objections were raised. Likewise, when a CSU Vice President travelled on a Falun Gong-chartered bus and addressed their rally on

Parliament Hill, we heard not a peep of the calls for neutrality and de-politicization that have been so forcefully intoned ever since the Concordia student body passed a motion calling for the Israeli government to respect international law.

The lesson to draw is that different considerations apply when the issue is the rights of those whose lives aren't worth as much to acceptable, mainstream opinion. Thus, the involvement of a student union in Middle East political issues -- one generally relegated to publishing critical articles or presenting marginalized speakers -- is the devious work of a "Marxist-Arabist cabal", which needs to be "reigned in" (*National Post* and *Montreal Gazette* editors), the sign of a "festering sore of anti-Semitism at Concordia University" (Charles Adler, *Global News*), to quote a few of the standard denunciations heard in the mainstream media over the past year.

This report details at length how such racist double-standards have played out at Concordia University. Its publication results from years of student concerns over allegations of racism and discrimination on campus. These complaints have been dropped at the doorsteps of both the Concordia Student Union and the

## Anti-Arab racism has become an acceptable form of discrimination in the mainstream.

Concordia University administration. Yet the reaction of the two parties has been more than diametrically opposed, forcing the two sides to confront each other in fervent battles for legitimacy.

During this time, the administration's reaction - perhaps fuelled by denial, perhaps fuelled by ignorance - has been to stonewall any allegation and to brush it under the carpet; citing, more often than not, a lack of evidence to the claims, or worse, that looking into these complaints by holding inquiries would cause serious damage to the reputation of the institution. This type of reaction on behalf of the University scares many into believing that even if administrators were well aware of true racism at Concordia, they would do nothing to stop it, thereby effectively condoning it.

The current student union, on the other end, believes that it is extremely irresponsible to remain silent about such serious allegations simply out of shallow concerns for its public image. In fact, without addressing the increasing number of allegations of discrimination, the public image of Concordia will only continue on its downward spiral.

The student union has sought to resolve what issues it could, like access to prayer space for Muslim students, providing a student union-run advocacy service and by supporting other student-run support services on campus. The CSU has also been vocal in denouncing and exposing racist stereotypes perpetuated by University administrators in a variety of instances both publicly and internally.

More recently, CSU members at the grassroots level organized and participated in a general assembly in which the student body voted for an independent and public inquiry into racism and discrimination at Concordia University. So far, the University administration has refused to commit to such an inquiry and has even gone so far as to ask the provincial government to remove the student union's status as a fully accredited student association in an attempt to silence student concerns about racism and discrimination.

The question we are left wondering about is: What is happening to our University, an institution of

higher learning, when public relations criteria become more important than the creation of a welcoming environment for all members of the community, regardless of their background? We ask this question not only because it is in the interest of our members to do so, but also because we fundamentally believe that Universities, institutions of higher learning, which seek to truly reflect their public mission, should be at the forefront of experimenting in breaking down social constructs of racism and any other form of discrimination. Just as these doctrines have been interwoven with our habits, customs and institutions throughout history by people within them; we believe that people within these institutions have also the power to reject racist doctrines and to build new institutions that are more free and just.

As is conceded, racial discrimination on campus is not a novel occurrence: it is a reflection of the assumptions and standards deeply embedded in the society within which it operates. In documenting it here, the attempt is not to condemn Concordia University for problems that it did not create. Rather, it is to provide recommendations into how we can best eradicate racial discrimination from our university. In pursuing this goal, we are not simply fulfilling a duty to victims of such discrimination, but we are also upholding the very mission statement of Concordia University, "where values of equality, non-discrimination and tolerance of diversity are appreciated and actively promoted".

Sabine Friesinger, President  
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**Concordia Student Union  
Executive 2002-2003**

# INTRODUCTION

## WHAT IS RACISM?

Racism is discrimination that determines someone's level of intelligence, morality, character, aesthetics, abilities and talents based upon the colour of their skin.

Racism has existed for thousands of years, but it did not become a discursive practice until the 19th century. It was premised upon the conceptual framework of "progress," or the "progress view of history," that emerged in the 18th century. Adam Smith was an architect of this grid, placing European commerce on top, hunters and gatherers on the bottom and feudal societies in between. He said, *In the beginning there was America, a land of lawless savages, and then Man progresses towards Europe, with its civil traditions, institutions and law.* In the 19th century, Europeans coloured the grid: white was on top, black on the bottom. All the other colours, in between.

In these modern times, Arabs and Muslims are often hung low on the rungs of social hierarchy. In the *Ottawa Citizen* (Sept. 29, 2002), David Warren wonders how freedom could ever be restored to Arabic countries where no "precedents" exist for democratic rule. The ancient constitutions of non-European society are easily relegated to the dustbin of Western civilisation while our own history of conquest and slavery is passed over simply by following the imperial hierarchy of progress.

Discursive racial practices have been interwoven with our habits, customs, institutions, social sciences and seeped in our language, for the past 300 years. In the 20th century, anthropologists replaced the discourse of race with the discourse of "culture", but it was based on the same grid, with European cultures on top and communities of colour, in North America and around the world, falling last.

All multiplicity was denied within these frameworks; the over-lapping and inter-connected nature of human identity did not fit the segregated boxes on the grids, excluding also the multiplicity within Europe. Cultural theories were infected with the superiority/inferiority "development" discourse of racism; European practices were universalized and generalized, blinded to all other practices but their own.

Anthropologists like Michael Carrithers ("Why Humans Have Cultures") challenged the racist discourse of "culture" with a language and practice of "socialities." There is an ongoing struggle to reclaim the racial discourse of European cultural imperialism and has been for decades now, in every discipline and study.

However, overcoming racism is not so easy. It does not simply require being a good person, open-minded and intelligent. Nor does racism end with the introduction of a new language to overcome the bewitchment of racist frameworks. Racism has been so much a part of building our nation that we often reproduce it unconsciously, even at

the very times when we think that we are criticising it.

Jack Lightstone, Provost of Concordia University, has responded to requests for an independent inquiry into racism with the refusal "to foul our own nest". However, thanks to the mental titans and crusading tendencies of Western ancestry, the nest has already been plenty fouled. The question is, what meaningful moves can we make to clean it up?

Racism is a deeply embedded practice of our society. The hopes of this report are not so naïve as to believe that we can eradicate racism completely from this institution. However, the CSU does want Concordia University to be on the forefront of challenging racism in all the multiplicity of its institutionalized and individualized forms within its own walls.

Compiled in this document are dozens of perspicuous examples of racism that have occurred and continue to occur at this university. Collecting these stories took a considerable organizational effort because of the extremely delicate and nearly tautological task of

researching racism: people are afraid to come forward because they

risk further backlash, but they risk further backlash if they refuse to come forward. So, to the people who put their academic careers, social freedoms and political agency in jeopardy for this report, we owe the deepest thanks and gratitude. With their help, the hope for change that first provoked the commissioning of this report may be realized.

The job of the researcher, much like the philosopher, is to collect examples for particular purposes. In this case, the examples of racism are meant to bring to light common features of different struggles and experiences on campus. In response to Rector Frederick Lowy's request for 100% proof of racism, the practice of racism cannot be compared to distilled alcohol, at least not in the way he meant it. There are too many particulars of racism to force each case to conform to one prescribed measure, and as we know, tolerances do vary.

## DEFINITION OF TERMS

**Individual racism** This form of racial prejudice stems from conscious or unintentional personal prejudice.

**Systemic racism** This racism refers to a general condition that is supported intentionally or unintentionally by power and authority, used to the advantage of one racial group over others. Specific practices include workplaces that negatively affect employment opportunity or advancement for specific groups of people. Systemic racism manifests itself in two ways:

### *1. Institutional racism*

Racial discrimination that derives from individuals carrying out the dictates of others who are prejudiced or of a prejudiced society; and

### *2. Structural racism*

Inequalities rooted in the system-wide operation of a society that excludes substantial numbers of members of particular ethnic categories from significant participation in its major social institutions.

## **WHY THE FOCUS ON MUSLIM AND ARAB STUDENTS?**

The CSU executive believes that there is racism against all communities of colour and religious and ethnic minorities in our society, to various degrees. Jewish students, for example, have complained that they feel uncomfortable wearing their kippot on campus, for fear of discrimination (see below). Black students are constantly fighting stereotypes whether in the classroom or in marketing ads for the university.

However, historical events can normalize types of racial discrimination against particular groups. For example, the 9/11 attacks catalyzed a rash of racist assaults on mosques and people with brown skin, as well as some synagogues around the world. In North America, Muslims and Arabs have felt the bulk of the hatred and backlash. Racial profiling at universities in the United States has been facilitated by administrations that have arbitrarily handed over records of Arabic students to the FBI, based solely on their countries of origin. This profiling has expanded in recent months, and now in the United States, residents from 14 Arab countries must "register" themselves at INS offices. Thousands have been interned as a result of this racial profiling. People are held in detention centres, with no due process, no legal recourse, and without the means to notify family and friends of their whereabouts or treatment.

In Canada, among other groups, Muslim, Arab and South-Asian immigrants and refugees are also subject to detention centres. Citizenship and Immigration Canada (CIC) provides statistics that show that there are an average of 455 people detained across the country at any given time. According to Raja Khouri, national president of the Canadian Arab Federation, in the months following 9/11, there were many reported abuses by law enforcement. In particular, the Canadian Security Intelligence Service (CSIS) seemed to cast too wide a net on the fishing expedition for terrorists. CSIS conducted intrusive interrogations of innocent people and, most damagingly, pressured ordinary Arab Canadians to act as spies by informing on their friends and colleagues.

On Concordia campus alone, the Muslim Students' Association "has received over two dozen reports from

students concerning incidents of discrimination or harassment." Furthermore, Sobia Virk reports in the Concordia student weekly *The Link* that "Last year, a first-year student from Bahrain studying at Concordia was targeted with physical assault to the extent that he was forced to drop his courses and leave the country" (Sept. 11, 2002). The article reports several incidents of racial discrimination against Muslim students at Concordia post-9/11, and includes figures of nationwide survey results released by the Council on American-Islamic Relations-Canada (CAIR-CAN) that reveal that 60 per cent of Canadian Muslims have experienced harassment, discrimination, or other bias since that date.

The problem of racism is not just one between students at Concordia; it affects the university's ability to function institutionally. On Wednesday October 3, 2001, a memo was sent from the assistant to the Registrar to all full-time staff and part-time staff. The letter begins as follows: "A number of staff members have been feeling fearful and uncertain when dealing with various ethnic groups after the horror of a few weeks ago..." These "various ethnic groups" are predominantly Muslim and Arab students. It is commendable that this department at

**It is our hope that this report will encourage students victimized by discrimination to come forward.**

least attempted to deal with the anxieties of their staff head-on. The letter goes on to say that a nurse from Health Services would be offering help on how to deal with the "aftermath" of September 11 (see Appendix A for full letter). And this is only one department, one department that actually dealt with the "aftermath" – what about all the others?

It is with these tendencies in mind, as well as an accumulation of complaints made by Muslim and Arab students over the past few years, that this report focuses on their grievances. If the time and resources had been available, the scope of the report would have been broad enough to include all complaints of racism, and not just those of one particular group. It is our hope that this report will encourage any persons on campus who feel that they have been victims of discrimination to come forward. The more cases presented, the more compelling the case for an independent inquiry, and the likelier the chances that action will be taken to help prevent others in the future from enduring the racism that students face today.

## **A NOTE ON ALLEGED CSU ANTI-SEMITISM**

As this report goes to press, the Concordia Student Union is in the midst of defending itself from a \$100,000 lawsuit brought by members of Concordia Hillel. The lawsuit alleges that the Concordia Student Union has discriminated against the campus Jewish group over the past few years.

It is the view of the CSU executive that these charges are completely baseless, but the ongoing status of the case precludes them from being addressed in any meaningful form here. A few comments are in order: for one, it is worth mentioning that the CSU-initiated General

Assembly motion that was passed by the Concordia student body in March 2003, which called for an independent and public inquiry into all forms of racism and discrimination on campus, also included the alleged CSU anti-Semitism to be within its scope. The CSU executive takes these charges seriously, and would welcome any opportunity to have them investigated thoroughly by an independent body.

The CSU executive's view is that the charge of anti-Semitism, in this case and many others, has been exploited by anti-Palestinians to slander the movement against Israel's occupation of the Palestinian territories. Members of the CSU -- including Jewish Executives, Councillors, and several others -- have been actively involved in the latter movement.

## OVERVIEW OF REPORT

### Part I: Background and context to racism at Concordia

The first section of the report gives a brief history of the Computer Center occupation of 1969. This is meant to provide some historical background of struggles on the Concordia campus against racism. Some parallels between the Computer Centre occupation and Benjamin Netanyahu's visit are made. One common feature among several between the events of 1969 and 2002 is how tensions had been escalating on campus for a long time before the occupation and demonstration respectively occurred. Following this brief analysis, examples of racial discrimination against Muslim and Arab students are documented. Some of the examples are cases of individual racism by members of Concordia faculty, staff or administration. Some of the examples are of a more systemic nature and reflect an institutionalization of this prejudice. Finally, the result of a survey of 250 students on racial discrimination is presented.

### Part II: Rethinking September 9

The second section is a report about September 9, written almost entirely from the perspective of students who demonstrated against Netanyahu. There is also an inquiry into why students felt so strongly about his presence on campus. The report also draws attention to the anti-Arab, anti-Muslim attacks and police brutality at the protest, which, in contrast to the shameful anti-Semitic incidents that occurred that day, were all but ignored by the mainstream media. Of particular interest in this section is the analysis of the risk assessment for September 9. It may help us to understand the role that outside parties played in the organization of the event, and the reasons that Concordia University administrators ignored the risk assessments urging the relocation of the event.

### Part III: Selling Students Out: Racism, Privatization & the Death of Democracy

The third section looks at the role that privatization has played in the crackdown of dissent on campus. It will look at how massive government cuts to education have increased the reliance of the University on private donors and corporate funding. It will investigate how this has

affected pro-Palestinian groups (freedom of expression, access to space, etc.), and other active student groups at Concordia. As the University repackages itself as an attractive "brand" for investors, race is used strategically and reflexively by the administration to either promote itself or to distance itself from issues. Examples are provided of campaigns that use race to promote the school, and the subsequent objections these campaigns have elicited from communities of colour at Concordia.

Also within the context of brand amelioration, aspects of the crackdown on student activism are enumerated. These include the moratorium imposed on discussing the Israel-Palestine conflict at Concordia and the administration's new space plan for the Mezzanine - prime student organizing space - to build an international café.

On a structural level, the Board of Governors' composition, based largely on the funding imperative, is taken to task for being unrepresentative of the Concordia community. In the same vein, a look at employment equity is included. Finally, there is a brief look at how free trade agreements may affect future (im)possibilities of university independence.

### PART IV: Demands

This section presents demands upon the Concordia University administration on how the CSU would like to proceed in a course of action, based on the testimony and evidence of racism presented in this report.

## WHAT YOU CAN'T SAY ABOUT RACISM

What you can't say about racism is that in some cases the evidence of its occurrence is subtle; it is the way that someone stares at you; it is the way that someone talks to you; it is the way that no one talks to you. These experiences are undocumented fatalities of difference and cannot be presented in any methodological form that I know of, except literary narrative. So I will leave you with an anecdote. A picture of the different ways to approach allegations of racism, with a final proposition of the spirit in which I recommend the reader come to this inquiry.

When life first stirred a few million years ago, three creatures emerged. The first creature climbed up out of the water and immediately tried to put into categories everything that it experienced. The creature found that it could not handle this constant, intensive task of labelling, so it died. The second creature crawled up onto the shore. It saw no reason at all to put anything it experienced into categories. But it found that it could not differentiate between friend and foe, and so it died, too. The third creature crawled up onto the shore and found that if it put some things into categories and left some things open, then it could see things clearly enough to survive and to learn to understand what existed around it. The third creature was the only one who survived.

May the reader embrace the spirit of the third creature: keep an open mind, and try to understand that categories exist to help us to understand what is happening around us.

# PART 1: RACISM AT CONCORDIA: BACKGROUND AND CONTEXT

Concordia University has an admirable history of providing accessible education. The origin of Sir George Williams College goes back to the evening classes first offered by the Montreal YMCA in 1873. Young, unemployed men could re-skill to re-enter the changing labour market. In 1926, Sir George Williams College came into being as a co-educational institution based in the now demolished YMCA building on Drummond Street. University classes were introduced for the first time in the thirties and evening students formed the bulk of classes right from the beginning. Sir George Williams became a 'second chance' college. Jewish students who were shut out of McGill throughout the 1920s to 1950s, because of racist Jewish quotas, registered at Concordia University.

Even today, roughly half of Concordia's student population are part-time students, with many working during the day and studying nights. There are a large number of mature students here, as well. The student population is diverse; one in four students at Concordia does not speak English or French as their first language, reflecting the urban diversity of Montreal.

Dubbed in recent years as "Berkeley of the North," or "Gaza U," Concordia student activism has attracted a substantial amount of sensational media attention in recent years. When protesters shut down former Israeli Prime Minister Benjamin Netanyahu's talk at Concordia on September 9, the news travelled quickly around the world. The last time the occupants of 1455 de Maisonneuve West made international news was in 1969. Believed to be the largest and longest student protest in Canadian history, the Computer Center occupation in 1969 made headlines for weeks. Just as it was a major factor in the protest against Netanyahu, institutional racism was declared to be the source of the students' grievances in their occupation of the University's computer center.

Below is a brief summary of the events of 1969. The reason it is presented here as context for Muslim and Arab discrimination on campus, despite having happened over 30 years ago, is because there are many particulars to the '69 situation that echo the crisis on campus today. In both cases, racism is the prime agent of conflict, and the final outcomes could have been avoided had the University administration negotiated in good faith with these groups. As well, both of the conflicts on campus reflect broader struggles against racism manifest in society at the time. To read more about the Computer

Center occupation, a bound copy of relevant documents and articles will be available in the CSU archive office.

Following this summary of the Computer Center occupation, I will survey cases of racism against Muslim and Arab students, first looking at perspicuous examples of racism perpetuated against groups in the institution, and then against individuals. I will also report the findings of a survey filled out by 250 Concordia students about racial discrimination on campus.

## 1.1 THE COMPUTER CENTER OCCUPATION

In the spring of 1968, six black West Indian students at Sir George Williams University accused a biology lecturer of racism. They claimed that Professor Perry Anderson treated the black students in the

class differently than he treated the white students. The case was reviewed by the Dean of Students, Magnus Flynn, and a meeting was arranged where Professor Anderson, staff and complainants could meet and voice their concerns.

The black students had complained about Anderson's frequent absences, his preferential treatment of white students, including grading, and the difference in the way he addressed black students compared to white students. During the meeting, it was revealed that Anderson was under a lot of pressure, juggling the writing of his thesis and teaching. Anderson admitted to his academic failings, agreeing that he was neglecting his students. He then attributed his differential treatment toward white students to the fact that he knew these students better, having worked with them outside of class on extra-curricular activities. In regards to papers that the Caribbean students had submitted, another biology professor re-marked their work and a few of the students actually had their grades lowered as a result. The black students felt that prejudice was the reason that no black student in the class received a higher grade than a "C".

Faculty members decided after the meeting that there were no grounds for a case of racism against Anderson and dismissed the charges without notifying the complainants. Dean Madras lost the minutes from the original meeting.

In October of 1968, the Black Writer's Congress convened at McGill University and black students from Sir

George Williams attended talks given by Stokely Carmichael, Rocky Jones, C.L.R. James and many other radical black thinkers and militants. Reinforcement of the need for a black civil rights movement in Canada was articulated at the conference.

On December 5, students reappeared before the principal (D.B. Clarke), the Dean of Science (Madras) and the department chairman with a demand that Anderson be dismissed. After a series of meetings, it was agreed that a committee of five faculty members, approved by students and faculty, would deliberate on the charges, if signed and submitted by the complainants by January 11.

On December 12, the Science Faculty Council met to discuss the charges. While several white students had been invited to the meeting, no black students had been invited. When the black students heard about this, they were outraged and disrupted the meeting. Many felt that racism was perhaps even more prevalent than they had first thought.

By now, a committee had been established and the University said that they would act on the committee's recommendations. Students began adding to their original charges of racism against Anderson. They claimed that the university was trying to smother the incident by "misplacing documents," rigging the selection of the Hearing Committee, and not keeping students informed on the latest developments. They also claimed that the University was attempting to draw things out until the matter was dropped, reflecting the institutionalized racism at Concordia, and in Canada in general. There was also a rumour circulating that the University had dropped its quota on West Indian students admitted.

On January 28, 1969, black students, who had accused the student press of ignoring stories about them and being "an organ of the administration," were given editorial control of the student newspaper. In *The Black Georgian*, they published a speech by Black Panther Eldridge Cleaver, as well as articles detailing altercations with the administration. Among the articles is one describing a security meeting the university held where administrators expressed their fear about the violence that black students may resort to on campus. Black students, offended by the racist stereotyping, confronted the man who made these accusations, Vice-Principal John O'Brien. They approached him in his office, closing the door behind them, demanding that he write and sign an apology, rescinding his slanderous comments. They refused to leave until he did so. These three students were later charged with extortion, kidnapping and conspiracy. A new demand was added to the growing number of complaints submitted to the administration: drop all criminal charges.

Dissatisfied with how the University was handling their complaints, the students had decided to make it a public issue in the fall of 1968. They held public forums on

the mezzanine where students could make speeches and listen to the latest news of the "Anderson Affair." The complainants escalated pressure tactics by organizing sit-ins and distributing leaflets informing the public about their protest. They wanted to establish a Hearing Committee, but problems arose with the nominations of the committee.

The Hearing Committee was established without the consent of the students. The administration had previously struck a deal with them that the faculty and students mutually approve members of the committee. But when students sent a memo rejecting the committee appointed by the administration and suggesting their own preferred faculty members, the memo was ignored.

On January 29, 1969, all of the complainants as well as about 200 students walked out of the hearings in protest and occupied the Computer Center on the 9th floor. Nine days later, the occupation spread to the Faculty Lounge on the 7th floor, when white students decided to take action in a solidarity occupation after listening to speeches on the mezzanine.

The black students had published a statement of position as follows: to reiterate rejection of the hearing; to request the administration's reply to the students' letter of January 20, which submitted their recommendations to

t h e  
committee;  
that the

### **The public backlash against the students revealed a deep racism in Canadian society.**

administration arrange a meeting to discuss a new committee; and that the meeting be held in an atmosphere free of threats and punishments.

The university refused to negotiate and things became quite tense in the Computer Center. Many black students faced risk of deportation if arrested. The conflict had also escalated beyond contempt for the University administration. The public backlash against the students revealed deep racism in Canadian society. On December 24, 1968, the Director of News at CFCF, Television 12, made a statement that "should the black students who have accused Professor Anderson of practicing racial discrimination fail to establish a case, or rather, fail to have him proven guilty, they should be deported from the country." In Parliament, similar disparaging comments were made. Within the University, in addition to struggling against the administration, black students had to deal with students cloaked in white robes marching in the school cafeteria, carrying placards that read: "Send the niggers back home," and "We're here to study, not to learn," and "Support your administration – do nothing."

What began at first as serious allegations of racism against Professor Anderson had escalated into a clash between those who believed in the ideals of the "Just Society," and those who witnessed and experienced the covert racism of society impeding an idealized social equality.

On February 11, after approximately three weeks of occupation, the students made two attempts to contact

the Dean and Principal of the University to negotiate, but there was no response. The riot squad was sent in, and a fire broke out in the Computer Center. When the smoke finally cleared, 97 students were arrested and the centre, CDC 3300, had been destroyed by axes and fire damage. To this day, no one has ever told who started the fire, nor who destroyed the computer center.

The media went wild with the story: *Burn the God damn Dirty Niggers, Get the ringleaders, Get the Militant Black Panthers, Get the Leftists, Get Stokely Carmichael, Hang the Dirty Communists, Cut Off Negotiations with Mao, Bomb China, Get the Radicals.* The media tried to spin the story so that it looked like the black students had not been responding to racism, in truth, but were rather being manipulated by Maoists or Panthers, urging them to carry out some sinister master plan. The sophisticated socio-economic and racial analysis of many of the defendants would prove itself in time to be valid, though: Roosevelt Douglas, a so-called "ringleader" of the occupation would go on to become the Prime Minister of Dominica; A. Cools was later named to the Senate by Pierre Trudeau.

Professor Clarence Bayne was a witness to the riot, and to the University's inability to deal with student anger: "A minority group felt so disadvantaged that they had to react in extremes," he told a *Thursday Report* retrospective (Feb. 10, 2000), looking back over 30 years later.

## 1.2 INSTITUTIONAL RACISM

Just as there is a context and a background to the Computer Center Occupation of 1969, there is a context and a background for the protest that greeted Benjamin Netanyahu. It also involves allegations of racism, and the perception by students that their complaints went unrecognized by the University administration.

The alienation that the West Indian students began to feel from society as they made their complaints public is similar to the alienation Muslim and Arab students feel today. Many black students lost their jobs as a result of the Computer Center occupation, regardless of whether or not they participated in it, and many others were treated with contempt and suspicion on the streets. Likewise, Muslim and Arab students, especially since the attacks of September 11, 2001, endure a heavy burden of misunderstanding and misrepresentation, which often translates into acts of hatred and racism against their communities.

It is noteworthy that the incident reports covered in this report intensify after September 11, 2001. We know that racism does not happen in a bubble and that world events and social changes affect our perceptions of one another. After the 9/11 attacks, racism against Muslim, Arabs and South-Asians broke through the surface of society's multicultural veneer and to varying extents, made life more difficult for these people.

Just how prevalent is racism against Muslim and

Arabs at Concordia? By providing the following examples that survey the experiences of Muslim and Arab students, I intend to bring into plain view features of life at Concordia University that perhaps until now have laid hidden. The aim is to give people a sense of the escalating tensions on campus before September 9, as well as to introduce particular realities of racial discrimination to the discussion.

I will begin this survey by outlining the relations on campus between Muslim and Arab student groups and the administration. These student groups include the Muslim Students' Association (MSA) and Solidarity for Palestinian Human Rights (SPHR). I will then follow these collective experiences with perspicuous examples of individual and institutional racial discrimination against Muslim and Arab students, and finally, analyze the findings of a survey on racial discrimination.

### A. MUSLIM STUDENTS' ASSOCIATION (MSA)

#### • *The "Security" Issue*

The most striking example of racism that has affected the MSA pertains to their security-related difficulties at events that they hold on campus.

According to the group's current president, Bilal Hamideh, the relationship on campus between security and the MSA has always been somewhat tenuous, but after September 11, 2001, the situation worsened considerably.

Following 9/11, the MSA was alerted to a new policy: they were obliged to have campus security at all of their events. Hamideh recalls a party that the MSA held where they were forced to hire six security guards and pay them for a minimum of 4 hours each, at \$19 per hour, even though the party only went for an hour and a half. This security imperative has crippled their annual organizing budget.

When Hamideh inquired about the new policy, he was told that it was for the MSA's own protection. The Security Department's position was that since there was a lot of backlash against Muslim and Arabs in North America since September 11, the University had to protect these students from discriminatory attacks. He further explained that someone had to pay for the increased protection, and since they were MSA events, the MSA would have to cover the costs. Hamideh objected, arguing to Jean Brisebois, the University Director of Security, that "if you are paid by the University to provide security and more security must be hired to protect us, then it should be the University paying, not us." But Brisebois replied that those were simply the rules since September 11.

The only other student group on campus that has to pay for their own security is Solidarity for Palestinian Human Rights (SPHR). Hamideh reasons that at least with SPHR, one might understand that they might need security since they are more of a political organization, but the MSA is a religious organization: "We always talk about

Islam... No single MSA [anywhere in Canada] has ever had a problem, neither before September 11, nor after September 11."

Hamideh wanted to find out whether or not Hillel, the Jewish-Zionist student group on campus, had to pay for their own security at their events, considering that Jewish people have also been under attack since September 11. After the protest against the Hillel-organized Netanyahu lecture on September 9, 2002 at Concordia, Hamideh and other student representatives raised the question of whether the student group would be charged for security. Hamideh and the student representatives sit on the Concordia Council for Student Life (CCSL) and addressed their questions directly to Brisebois. By Brisebois's own admission, the university had hired 81 security guards. At \$19 per hour, that amounted to a cost of somewhere around \$3-4,000.

The student representatives then asked to see the invoice that they assumed Hillel had had to fill out. Before MSA events, Hamideh, as MSA president, would have to approach security and tell them about their event. Security would tell them how many security guards would be needed, they would quote them the price, and then make them sign an agreement, registering both parties' approval. The student representatives asked Brisebois: "Did you follow this procedure with Hillel?" Brisebois replied, "No." The students asked him, "Why not?" Brisebois replied that he did not have the exact figures. Then, when students pushed him to comment on whether or not he intended to send Hillel the bill, Brisebois replied that maybe he would send the invoice instead to the university, or to the CSU, "at the end emphasizing that the CSU should pay for [security costs] because they were the ones who allowed Netanyahu to come..."

At the next CCSL meeting, on February 28, the student representatives, once again, took the opportunity to ask Brisebois about the security invoice for September 9. Brisebois replied: "I am not ready to answer that." Hamideh's understanding of this answer is that no invoice was ever sent to Hillel. "After five months he doesn't want to open the issue because I am sure he didn't send them an invoice and he is not planning on sending them an invoice."

Who are the security forces at Concordia meant to protect? Why aren't they protecting students, such as in the MSA case? Why should the Concordia community foot the huge bill for Netanyahu's security? Why should the MSA have to pay for security at all of their own events, where the security risks barely exist, yet Hillel does not have to pay for the militarization of two floors of the Hall building, where the security risks were not just tangible, but overtly predictable?

#### • ***The Struggle for Prayer Space***

The longest ongoing conflict between the

university and the MSA has concerned securing Muslim prayer space. In the Islamic religion, Muslims must pray 5 times a day. It has been this way for 14 centuries, and it is an essential aspect of an Islamic person's religious identity. Muslim students at Concordia University have been fighting for several years to secure the necessary space to pray. In the meantime, Muslim students have been forced to pray in fire exits and hallways, amongst other temporary places and provisions that have been grossly inadequate.

At one point, Muslim students were offered the former Women's Center for their prayer space (2020 Mackay). This same space was evacuated by the former occupants because of mold in the building (see Appendix B for both the Women's Centre's inspection, and the health inspection that the MSA paid for to prove to the university the health risks of the building).

Also, among the provisions accorded to Muslim women was a tiny prayer room on the 6th floor where the women were given shoe mats to pray on. As one student described it, the room was a "claustrophobia-inducing, windowless broom closet covering an area of less than 18 meters squared." This was in October 2000.

After an outcry, the space on the 7th floor was found and the struggle began with the Department

of Applied Social Sciences to use their rooms. The MSA was trying to secure rooms H-721 and H-713 for Friday prayers, since the double-room with no installed chairs could easily hold the 800 people who came to Friday prayers. The MSA was allowed use of these rooms on the condition that the Department of Applied Sciences did not need those rooms on that day. The department claimed that they needed those rooms 3 – 5 times a year, so sometimes, Friday prayers would have to be suddenly relocated at the last minute.

Hamideh met with the Chair of the Department and offered to put whatever time and energy necessary into finding a replacement classroom for the occasional Applied Science Friday class, which was composed of a maximum of 60 people, in exchange for having the rooms on Friday on a regular basis. Hamideh's offer was refused, though he tried to explain that he did not mean to disrupt the Applied Science classes, but that the MSA simply had no alternatives. The chair replied that something to the effect of 'these are our classes and we will do with them what we like; we are already doing you a favour by letting you use them'. Hamideh went to the Dean of Students, Dr. Donald Boisvert, to see if anything rectify the situation, but was told that nothing could be done.

In June 2001, Hamideh, representing the MSA, along with then-CSU President Sabrina Stea, SPHR and the Syrian Arab Association, presented a letter to Concordia Dean of Students, Donald Boisvert, demanding

that action be taken by August 15th to secure Muslim prayer space for men and women. On August 14th, a reply finally came, agreeing to secure by contract H-721 and H-713 for Friday prayer space. However, the Department of Applied Science now refuses to rent the room to the MSA for any time other than Fridays because the MSA "went over their heads" to the Dean of Students and Vice Rector of Services to secure the space. They are doing this, despite the fact that according to room-booking policies at the university, the department is obliged to offer the room when they are not using it. The MSA, according to Hamideh, is the only group they will not book it to.

The MSA was left without a room to hold Ramadan, but "fortunately, [Dean of Students] Don Boisvert gave us the cafeteria... even though it was not ideal, because, I believe taking over the cafeteria is inconvenient for other students, and it is not fair that we are taking it over for the whole month [to serve a free daily breakfast and dinner]. Even though everyone is welcome and we have so many non-Muslim students coming in the evening. For me, I would rather have [H-721 and H-713], but they [the Department of Applied Social Sciences] would rather have it closed and locked than giving it to us because of what happened."

#### • **More "Security Risks"**

Again, since September 11, new "security measures" were introduced that seem to do little more than complicate the lives of MSA members. Although for years, Muslim students have been allowed into the Hall building for morning prayers at 6 a.m., recently Hamideh was made to provide a list of all of those who use the morning prayer space. He was told that only Concordia students could access the space. There are but 20 people who use the space in the morning to pray for 5 minutes, who then come down and leave, but these people fluctuate daily and sometimes the odd student from McGill or a Concordia graduate comes to pray. Hamideh explained the difficulty of providing this list, but finally, after many negotiations, he provided security with a list of 100 names.

It was this list of names that Brisebois wanted the MSA to use for Friday prayers when the university is closed, even though around 800 people pray on Fridays at the school, with only a very small handful not Concordia students. Hamideh took his complaint to the new Dean of Students, Charles Bertrand. Bertrand suggested that the Muslim students go pray somewhere else downtown. Hamideh told him that there are no mosques downtown. Bertrand refused to accommodate Hamideh, so Hamideh took his complaint to Michael di Grappa, the Vice-Rector services. Di Grappa overturned Bertrand's decision and the Muslim students were temporarily given the lobby of the Library building. This way there would be no "security risks" of having the Concordia Muslim students in the Hall building.

Later, Bertrand confessed that he agrees with a

statement that Hamideh claims Brisebois once made to him, that there should be no prayer space on campus. Bertrand said that if it were up to him, the Campus Ministry would be closed, as well. The question of where Muslim students will hold their Friday prayers when the school is closed remains unanswered.

The question is, what are these "security risks" that the university is trying to protect itself from? What threats are posed to the university? Is this group of people a "higher risk" group because they are Muslim? Is this a case of racial profiling? Is this a case of a few individuals' racism being institutionalized in the university?

Racism within the ranks of security forces is not a new thing. The university has shrugged off responsibility before for alleged racism in the force. For more information on this issue, read the *Link* article in Appendix C.

#### • **Access to Annex P**

Another incident that occurred between the MSA and Brisebois is related to Annex P on Mackay where CSU student clubs are housed. While past Concordia security officials let the Muslim students and other groups stay in Annex P overnight, Brisebois changed the locks of the building and cracked down on the Muslim students who tried to stay late setting up their Islamic library in the basement of the building. Although the building houses CSU clubs and the CSU gave all the clubs' keys to their offices and to the building, today security are the only ones with keys to the main door and no one is allowed to have a copy. The building is now closely monitored for any security "breaches."

It is unclear how this new "security measure" is protecting either the school or the students in any significant way. What is clear, however, are the major inconveniences these measures cause the one student group that tends to use Annex P most frequently and consistently, and that seems to be the target of many of these new security measures implemented by Brisebois since September 11. Is this a case of racial targeting? What is the pretense for security's concerns over students using their student space after university hours?

## **B. SOLIDARITY FOR PALESTINIAN HUMAN RIGHTS (SPHR)**

#### • **Sept 15, 2001: Sabra-Shatila Commemorative March**

In August 2001, Solidarity for Palestinian Human Rights (SPHR) was denied a permit to use a university lot at the corner of Guy and de Maisonneuve for a bazaar due to allegations of "security risks." The bazaar was meant to take place alongside a September 15 commemorative march for the 1982 Sabra-Shatila massacres in Lebanon.

The university cited concerns about the amount of people expected at the rally. Some organizers had put the figure at 20,000. The university responded by saying that

the space had a capacity of only about 1,500 - 2,000 people. Organizers explained that the event would be well-managed, that no more than 1,500 - 2,000 people would be permitted entry to the bazaar at a time, and that they did not expect the entire demonstration to be congregating on that corner, anyway. Most people were coming to attend the march. The university refused SPHR the space.

As SPHR had been mobilizing for some time, they did not let this obstacle stop them from holding the commemoration. They inquired for other places downtown where people could hold a bazaar prior to the march. They then contacted the owner of an alternative lot, one located where the new Engineering, Computer Science and Fine Arts building is being built today, who then agreed to rent it to them. SPHR says that the administration caught wind of their plans and apparently told the owner, who sub-leased the lot from them, that they would break their lease if he rented the lot to SPHR. SPHR lost the lot.

The other reason the administration cited that SPHR could not hold the bazaar, in addition to the technical aspects of space capacity, had to do with concerns for student safety. Rector Lowy stated to SPHR that he was worried that students would not be able to go to class on the day of the event and that the large presence of people in the streets might disrupt classes. He also justified denying SPHR the space "given the very real concern that violence might erupt," as the *Montreal Gazette* explained in their editorial applauding the decision ("Assault on Concordia", August 25, 2001). The "proof" behind this "real concern" was an article in the Montreal weekly the *Suburban*, which linked SPHR to violent pro-Palestinian factions.

"This is a fascinating accusation," writes Aaron Maté in his article, "Notes from the Cabal," in the 2002-2003 CSU handbook, *Surprising*, "especially since the trusted source in question has been reprimanded by the Quebec Press Council for 'abusive and extreme generalizations of Arabs.'" Maté continues: "The specific article cited by Dr. Lowy appeared in the August 15th, 2001 issue of the paper, entitled 'Rally, terror groups linked.' In it, *Suburban* reporter Howard Silbiger cites 'noted Mideast terrorism expert' Stephen Emerson as his trusted source. Emerson's expertise on terrorism isn't admired by everyone, such as the *New York Times Book Review*, which described his 1991 study on the subject as being 'marred by factual errors... that betray an unfamiliarity with the Middle East and a pervasive anti-Arab and anti-Palestinian bias.' Emerson's other credentials include his vocal speculation that blamed Arab terrorists in the aftermath of the 1995 Oklahoma City bombing. As he explained to millions of TV news viewers at the time, the bombing showed a 'Middle Eastern trait' because it 'was done with the intent to inflict as many casualties as possible.' Of course, while SPHR is not

directly linked to any groups with similar 'Middle Eastern traits,' we can read in the *Suburban* of Emerson's conviction that 'many of the groups connected to the rally have ties to Palestinian and Islamic terrorist organizations.'

Not only was the Rector's conclusion of "violence" derived from unreliable sources, but his concern for "student safety" and the disruption of classes, was

dismissed, one year later for Mr. Netanyahu. The University shut

down two main circulation floors of the university, hired over one hundred security personnel for the building, rented metal detectors, and allowed RCMP officers to take over the campus. This is a clear double standard.

The B'nai Brith, a North American Jewish organization whose important work in raising awareness of the Holocaust is unfortunately marred by racist anti-Palestinian jingoism, may also have had a small role to play in the cancellation of the rally. As soon as they found out about the bazaar and march, they issued a press release denouncing it. Some members of SPHR think that this helped convince the administration not to rent the lot to the group. Then, on September 11, the B'nai Brith opportunistically used the tragedy of the attacks on New York and Washington to issue a press release connecting the terrorist attacks to SPHR's march:

*Rochelle Wilner, National President of B'nai Brith Canada, in her condemnation of today's attacks against the US, included the following call to Canadian government and security officials: "B'nai Brith calls for increased supervision of extremists already in Canada, some ensconced at our university campuses, who may have links to Islamic fundamentalist groups advocating terror. We are troubled that Concordia University has been chosen as the focus for a gathering next week that could include these groups, and we have asked immigration officials to be on the alert to bar the entry into our country of those bent on stirring up discord and hostility.*

The defamatory, racist depravity of connecting Concordia students with the international ring of terrorists that orchestrated the attacks of September 11, is just one example of the type of rhetoric used to discredit the human rights organization SPHR.

The questions here are, why did the university intercept into SPHR's right to freedom of speech and freedom of assembly? How could the university deny SPHR the right to hold their demonstrations on tenuous grounds of concerns for "student safety" when, by contrast, the tangible grounds for violence at Netanyahu's talk was permitted to happen, on the grounds of freedom of speech?

#### • A Terrorist in our Midst

Since security seems to be such a forefront concern of the university administration, one has to

wonder whether known Zionist terrorists do not invoke the same concerns from the university and mainstream media as the threat of Arab terror. In the following account, Zev Tiefenbach relates an experience he had with a Zionist terrorist on campus, and the futility of his attempts to make the administration take action:

*On September 10, 2001, I participated in a press conference at Concordia University denouncing death threats to CSU members by a group identifying as the "Committee for the Extermination of Palestine." At the press conference an individual... presented himself with his business card, as Irv Rubin and his organization the Jewish Defence League (JDL) [see Appendix D] and he began to yell at me. He called me a liar and was basically screaming in my face. Mr. Rubin was arrested some weeks later - he was arrested by the FBI [Federal Bureau of Investigation] in conjunction with terrorist plots to bomb mosques in the United States - and he is a main suspect in the assassination of Muslim and Palestinian leaders in the United States. His organization, the JDL, is listed by the FBI as a terrorist group. Now, considering that this individual entered Concordia and presumably has ties to Concordia, (in fact, we know he had a press conference some weeks after that in which we [learned that] a ring that was organizing around the mandate of the JDL... had an active interest in recruiting at Concordia), if we are concerned at Concordia - and it seems that the Board of Directors and the administration is concerned about cleaning up Concordia and festering out the roots of evil at Concordia... - you would think that the university would be active around having a known terrorist, who the FBI is currently incarcerating, at our campus and organizing at our campus. But this is clearly not the case. Instead the university has decided to pursue with vigilance students such as Samer Elattrash who has no connection, proven or otherwise, to any terrorist organization in any way, shape or form. In fact, with all the hyperbole around terrorism, the only evidence, the only tangible reality of a terrorist on campus was Mr. Rubin. But there has been no research, there has been no public inquiry, no discussion at the Board of Governors' level around Irv Rubin's presence.*

#### • Azmi Bishara

Last year SPHR invited Azmi Bishara, member of the Israeli Knesset (Parliament), to campus, extending invitations to the administration. The senior administration declined, saying that they didn't want "to take sides."

Some members of SPHR openly wondered, why, when Netanyahu came to Concordia, Lillian Vineberg, Chair of the Board of Governors, Rector Lowy, and members of the Rector's Cabinet, attended the talk. Would this not be a sign of "taking sides"? This is clearly a case of two sets of rules: one for Mr. Netanyahu, another for Azmi Bishara, both of whom are foreign dignitaries.

#### • Accreditation, Sama & Mahal

The administration's hypocrisy in dealing with Muslim and Arab groups is revealed when examining their

double standards for intervening in CSU affairs. In January 2002, the CSU Council of Representatives prevented the winning slate in the November 2001 CSU elections from taking office due to electoral irregularities. The administration reacted by announcing that it was severing all ties with the union, and cutting off the transfer of all monies collected on its behalf, until it could install "a legitimate, duly-elected CSU executive". The CSU, pointing out that the administration's actions were a violation of provincial accreditation law, quickly filed suit, and the freeze was dropped.

In August 2002, the home page for the CSU group SAMA (Students' Association for Muslim Awareness), was found to have a link to a Holocaust-denying website. The university promised to remove it legally if it was not removed, which it immediately was. The club also issued a public apology. By contrast, in December 2002, on a Concordia Hillel table members of Hillel were seen handing out flyers for a program that recruited for the Israel Defence Forces (see Appendix E), an alleged violation of the Canadian Foreign Enlistment Act. This occurred only several days after the moratorium was lifted on the condition that any group that has hateful material would be reprimanded via the proper internal university process, i.e., the Office of Rights and Responsibilities or the Ombud's Office. However, the administration refused to consider the CSU's request that they deal with Hillel and the individuals who were handing out the information.

Instead, they dismissed the request in a press release, defending their "hands-off" approach by saying that the CSU is an independent body and is responsible for the groups under them. When the university was asked why they would take action against SAMA, but not Hillel, the university responded by saying that SAMA's website was linked to Concordia University's website. However, Hillel members' actions of recruiting for the IDF were carried out on the university premise. Why was no disciplinary action taken, nor intervention exercised? Why did the Concordia administration intervene against the CSU in regards to elections and SAMA, but not Hillel's infraction?

#### • School Space and Campus Life

There has been an ongoing dispute with the administration for many years over control of the mezzanine and lobby. In the winter of 2001, the university tried to ban all tables from the lobby, claiming that they had received too many complaints about them. The complaints were about the tables being double-booked, and other trivial matters. Also, some people had issues with the SPHR table. They complained that the table was "intimidating."

SPHR often had a TV and VCR showing of footage of human rights abuses in the Occupied Territories. At one point, the group was showing looped footage of Mohammed al Dura, the little Palestinian boy who got shot while his father tried to protect him from

Israeli gunfire. The Dean of Students decided to ban tables in the lobby and the CSU reacted by contacting him and trying to convince him to reverse the decision. When the Dean refused, the CSU undertook a campaign to take the lobby back.

Sabine Friesinger was a VP at the CSU at the time and she recalls that the campaign was also done "in the context of protest against the security for tearing student posters down. People were trying to organize, trying to have an active student life, and [the administration] would come along and take away the tables and take away the means to get new members."

A week later the CSU got the tables back by organising a demonstration. But the fact remained that the original crack-down had come soon after the SPHR held a controversial exhibit "Concordia under Occupation" which offended many Jewish students. Friesinger says: "In order to build for the action, they [SPHR] were tabling and I guess some people made the connection... that when people table, they announce their events and get attention."

Zev Tiefenbach agrees with Friesinger's analysis: "The ban on tabling in the lobby, which was initiated by the university in the winter, January or February 2001, was at a point when the SPHR was extremely active in the lobby. They showed numerous videos in the lobby depicting the brutality of the Israeli occupation, and they had a very strong and organized presence throughout day-time hours at Concordia. I believe that the university's decision to ban all tabling in the lobby was directly a result of their desire to marginalize and make invisible Palestinian resistance to the Israeli occupation."

### **The anarchist, feminist, transgendered and pro-queer CSU accused of being bin Laden's youth wing in Canada**

## **C. CSU, THE ADMINISTRATION & SPHR**

### **• Passive Racism**

Passive racism is a covert racism that involves doing very little on the part of the perpetrators, but can actually inflict a great deal of damage. Because it is so subtle, sometimes the best way of identifying it is by finding ways to get beyond its appearance of normalcy. For example, Rector Lowy denies in private that he told the *Suburban* or *The Gazette* that SPHR might have ties to extremist groups, but he has yet to publicly retract these statements. By contrast, would the Rector's reticence be accepted had he made similar accusations that Jewish students at his school had ties to Zionist terror groups?

When Laith Marouf was elected as a CSU VP on the ACCESS slate of 2001-2002, the *Jewish Tribune*, B'nai Brith's official newspaper, quoted the reaction of Raphael Lallouz, director of advocacy for B'nai Brith in Quebec (April 5): "And now the Arab student leadership has infiltrated the Concordia Student Union." The article states that Raphael Lallouz "acknowledges that Concordia remains a hot-bed for anti-Israel propagandists who

continue to manipulate, through disinformation, the minds of university students."

Professor Stephen Scheinberg, chair of Concordia's History Department and leading spokesman for B'nai Brith Canada, is also quoted in the article. He says that "in his 39 years on staff at the university he has never seen a more poisonous atmosphere towards Israel." The article mentions that Scheinberg points out that the "upper echelon" of Concordia's administration "remains in a predicament" concerning the Israel-Palestine debate on campus because both Rector Frederick Lowy and Provost Jack Lightstone are Jewish. Scheinberg is quoted saying, "It is very difficult for a Jewish-led administration to clamp down on freedom of speech," he said.

Marouf states: "In my first meeting with the administration as executive, I brought a copy of the article and I wanted to discuss it, so I asked Rector Lowy if these views are correct and if Scheinberg and the B'nai Brith represent him. He said, 'No.' I asked him then to issue a condemnation of these statements. He refused to do so, so I asked him to make a statement at least distancing himself from B'nai Brith, stating that they do not speak on his behalf just because he is Jewish. And he refused that also."

### **• Tom Keefer and Laith Marouf**

On August 20th, 2001, CSU student representatives and activists Tom Keefer and Laith Marouf were expelled from Concordia for their involvement in an alleged altercation with campus security guards that took

place one month earlier. Marouf, then in his first month as elected

Vice-President on the CSU executive, had been apprehended by Concordia security guards for spray-painting: "End Israeli Apartheid: Free Palestine!" on the plywood walls surrounding the abandoned Concordia-owned building that was demolished a few weeks later. Marouf informed the guards that he was going back to the CSU offices. Shortly after, a group of security guards bolted into his office and seized the spray-paint that he had used to deface the plywood walls. An argument ensued between Marouf and the guards, whereafter a group of other CSU executives, representatives and volunteers came out into the halls to witness the incident.

Among them was Tom Keefer, a student activist and elected representative to the union's Council of Representatives. Keefer attempted to intervene between Marouf and the security guards, who at this point, according to all accounts, were yelling at each other. When the guards threatened to charge Marouf with assault and mischief, Keefer informed them that Marouf had diplomatic immunity. To illustrate his point, Keefer told the guards that "this could mean that he could kill all of us here and rip off our heads and piss on our bodies and there isn't anything we could do about it." By this point, two police officers had been called on the scene, both of

whom turned down requests to charge both Marouf and Keefer with assault or mischief, saying that "this is an internal political matter."

A month passed without either of the two students hearing anything from the university on this matter, and they both continued working at the CSU offices. On August 20th, they each received a letter from Concordia Rector Frederick Lowy informing them of their expulsions from the university; Marouf, for "assault"; and Keefer for both "assault" and "uttering death threats." Both letters lambasted them for their "contempt for other members of the community, flagrant disregard for University rules and policies, and readiness to resort to violence to achieve [their] ends."

Concordia's administration, however, arrived at the decision to expel them without interviewing nor consulting Keefer or Marouf. Neither did they refer to any of the ten students who had witnessed the incident, all of whom have subsequently claimed that the charges that have been laid against the students were unwarranted and untrue.

The expulsions were in fact based on the sole testimony of Vice-Rector Michael di Grappa, a Concordia administrator who only saw a portion of the incident. The alleged recipients of the crimes of assault and death threats -- the security guards -- were not even spoken to.

The Rector's decision was further called into question by its violation of university policies. Members of the Concordia community charged with offenses are subject to the school's Code of Rights and Responsibilities, which calls for disciplinary measures to be pursued through a form of due process wherein accused parties are given a trial in front of a hearing panel, where they are allowed to defend themselves by presenting arguments and witnesses. Keefer and Marouf were not accorded this opportunity. The University claimed that because the two were not registered for courses at the time, they were not considered 'students', and thus beyond the jurisdiction of the school.

The argument was flawed for numerous reasons. According to the school's own Academic Code of Conduct, a student is defined as (among other things) 'a student registered during a preceding academic term'. This is the only place in all of the university's regulations and policies that provides a definition for a 'student', which would make sense, given that the role of being a 'student' is primarily an academic one. Both Keefer and Marouf were registered for courses during the preceding term. Furthermore, that they would have registered for courses seemed to be a certainty, given the fact that doing so was a requirement to maintain their positions as elected student representatives on the CSU.

Furthermore, any ambiguity on the "student" status of the two had in fact been cleared up by the university's own prior actions against them. During that same session, attempts had been made to bring the two in front of a Hearing Panel for separate incidents: Marouf for a previous graffiti incident, which didn't come to pass

because of his diplomatic immunity, not because the school didn't consider him to be a student. At the time of the expulsion, Keefer was already in the midst of a hearing panel process, defending charges against him for his role in a February 2001 protest against CSIS recruitment on campus. (See Archive folder #1 for the full account of this case).

#### • ***Uprising* Agenda 2001-2002**

Another case involves the reaction to the controversial 2001-2002 CSU handbook, *Uprising*. Released within days of the 9/11 terrorist attacks, the political climate was especially intolerant to criticism of the state. The CSU got smeared in the mainstream press for a handbook that was an "incitement to violence," painting a picture of a student government out of control, drunk with power and needing to be "reigned in." On October 1st, the B'nai Brith issued a press release calling *Uprising* "propaganda that threatens democracies", and calling for "an investigation of attempts by the [CSU] to inculcate a culture of violence, incitement to hatred, and civil disobedience on campus." The same day, B'Nai Brith executive VP Frank Dimant brandished a copy of the student agenda and asked an assembled group of reporters: "Is this a blueprint for Osama bin Laden's youth program in North America? One has to wonder".

It will probably come as a surprise to most people, however lost on Mr. Dimant and his colleagues, that Osama bin Laden champions the rights of gays and lesbians, transgendered folk, getting high safely, and alternative methods in birth control and menstrual products. Clearly the accusations of being agents of "Osama's bin Laden's youth program" are aimed at students of Arabic descent. But the rhetoric helped fuel the backlash against the student government in power and the "Arab agenda" it was accused of representing.

The university, for its part, reacted the next day by calling on the Ministry of Education, the Attorney General, and the Premier of Quebec's office to investigate the CSU for having engaged in illicit activities including "blasphemy, sedition, and incitement to riot". The province would later respond that there was no case for investigation.

Once again, the university's passive and proactive support for these slanderous campaigns against students at the university fuel racial discrimination against students, both within the school, and throughout society at large.

#### **D. MIDDLE-EASTERN AND ASIAN STUDENTS**

Jean-Marc Bouchard, former employee of the Office of Student Advocacy and Support Services, is worried about how institutional failures in the university system are affecting students of Middle Eastern and Asian descent.

Bouchard criticizes the university for not training adjudicators for university trials. Students are selected from a pool of graduate and undergraduate students, and the fate of those on trial for breaking university codes rests

in these adjudicators' unprepared hands.

Bouchard is most worried about those university students from outside of North America "who do not necessarily understand Western rules of research and may unwittingly commit infractions" (*The Concordian*, Jan. 15, 2003). In the same article, he states that the majority of cases he reviews at the CSU Student Advocacy Office where he now works are of students of either Middle Eastern or Asian origins who are studying in North America for their first times: "In Japan... people are expected to memorize, and all students memorize the same thing. Students are expected to know where a certain passage came from without references." He says the same thing applies to Arabic students who are expected to memorize the Koran.

Mary O'Malley, coordinator of Student Learning Services at Concordia, is quoted in the same *Concordian* article stating that: "The difference between Western and Eastern cultures is that in the West the responsibility is placed on the writer [to state where the information is taken from] whereas in the East, the responsibility is placed on the reader."

The article offers other insights, as well, into the how cultural differences can play an instrumental role in the university. It continues with more from O'Malley:

*O'Malley, who has a Masters degree in education with a specialization in reading and writing, has been working in Counselling and Development since 1988. She said she often sees first hand the cultural differences in approaches to learning that Bouchard stresses in his cases. There are very distinct and documented differences, she said, when it comes to how different cultures approach education.*

*One such difference is the approach students take when questioning teachers. Many students from the Middle East and Asian countries, she said, are taught not to question their professors, because it would be considered an insult. Often, she said, international students taking writing workshops will at first say they do understand, but they are unable to explain it back. The result is that students who do not take the optional workshops do not always understand what is meant by plagiarism when a professor explains it briefly at the beginning of class or when they read it in the course syllabi. When giving faculty workshops, O'Malley said she always stresses the importance of going over exactly what constitutes plagiarism. At times she meets resistance, with one professor asking her, "How far do you expect us to go with [these students]?"*

*"Some people just don't know about these differences," she said. Because of this, she believes it is entirely possible that Bouchard meets some resistance from adjudicators when he bases a student's defence on cultural differences.*

To both O'Malley and Bouchard, the article concludes, "the situation is all the more concerning, since Concordia had begun heavily recruiting international students. Many people agree that a course for new

students about the rules of Western academia should be offered at Concordia.

## **E. PERSPICUOUS EXAMPLES OF RACISM AGAINST MUSLIM AND ARAB STUDENTS**

Following are examples of racial discrimination against Muslim and Arab students. They involve cases between students, staff and faculty.

### **• Osama El Dermerdash**

Osama El-Dermerdash had been working at Concordia University for 5 years when the Twin Towers collapsed, bringing down with them his own job, hundreds of miles away in Montreal. At first, El-Dermerdash wasn't sure whether or not the racism was "in his head," this sudden difference in treatment, or "if it was just part of some personal conflict or discrimination." But, things became quite clear to him when the poor treatment persisted for almost a year, and he finally had to quit.

El-Dermerdash worked at an Office of Research Services at Concordia for five years as a junior programmer. Although he was over-qualified for the position, because he was a new immigrant he decided to take the job. He didn't mind being underpaid, either, because he had good relationships with his two bosses, and was doing another bachelor's degree in French. But in 2001, when both of his bosses left, El-Dermerdash thought about leaving too. He was told, however, by the new interim director that he was to be promoted and to take over information systems responsibilities. He had only to prove himself; his position would be re-evaluated, and he would be getting a raise.

The request for re-evaluation went through, and was initialised by Jack Lightstone, who was Vice Rector Research at the time (see Appendix F). El-Dermerdash was not worried about "proving himself" since he had already been doing the job for a long time.

At around that same time, El-Dermerdash started having problems with a woman in the office who was to take over the other managerial position that had opened up. El-Dermerdash felt that she was very rude to him and wondered later if her behaviour was symptomatic of racism, as well. In the meantime, another new interim director had taken over, and El-Dermerdash spoke to him about problems he was having in the office with the woman. These problems were resolved by forbidding the two to talk. These personal conflicts would later be used to excuse the office from promoting El-Dermerdash to the job he was promised.

El-Dermerdash inquired regularly about whether or not the evaluation had gone through yet for his new job. Every time El-Dermerdash went into the interim director's office, however, the director would put his feet up on the desk in El-Dermerdash's face and be very ambiguous about how the process was going with his re-evaluation. El-Dermerdash was firm on the point that the director did not put his feet up on the desk with other workers. The run-around for the promotion persisted for a year. Later,

when El-Dermerdash contacted Human Resources, they said that nothing had ever been filed regarding his re-evaluation and promotion.

Also, El-Dermerdash says, "I was asked all sorts of things, for example, to look into the photocopier. I am not doing a technical job, I am a professional programmer and analyst, I have a bachelor's degree in computer science. I was asked to look at the photocopier, the fax machine, they were always trying to deal with me as a technician... They were doing that purposefully to demean the significance of my tasks... I did the things that they asked of me, but I felt that this was their intention." When asked whether or not the people in the office were simply requesting favours of El-Dermerdash, he replied, "No, there were definitely pushing it and were not nice at all. When you ask someone for a favour, you are nice. They expected you to do that, that was their attitude."

Finally, El-Dermerdash complained to his union. His work environment had become very uncomfortable and tense for him. They told him to take his vacation time, to leave the space for a while. El-Dermerdash came in late that night and decided that since he was probably not going to work for "probably a very long time," that he would remove his personal stuff from the Hard Drive and change his password. He came back from vacation, eager to learn the outcome of negotiations that his union was having with his bosses, and instead, "I came back and found that my director had written a letter accusing me of sabotage."

How had he sabotaged the system? "They said I had gone at night, that I removed files without proper approval... that I had tried to send them viruses... That I had tampered with the file sharing on the Macintosh." El-Dermerdash was invited to a meeting to discuss the matter.

El-Dermerdash cleared up the matter immediately: there was nothing different or suspicious about spending the night working in the office. He encouraged his bosses to check the log sheets, they would see that he often took advantage of the quietness of the empty office and spend the evening doing schoolwork there. In regards to accusation of sending viruses and tampering with the file sharing, El-Dermerdash says:

*I never sent anyone viruses, I don't even know how to send somebody viruses on purpose. They said I tampered, and stopped file sharing on the Macintosh. This is very easy to do when you download something and you try to install it, it will ask you to stop file sharing because of the need to install the software. So that is what I was doing, installing the software to remove permanently my own stuff. . . It was a very simple technical problem you can solve it within a minute if you know anything about computers.*

*They said I changed my password to IM2YS4U. I learned early on that this is a good password, it has both letters and numbers. . . They took it that I was destroying the system.*

*Anyway, I went to the meeting and explained my point of view, I was especially surprised that they accused me of sabotage - a very serious accusation. I asked them to prove the accusations, they didn't have anything to show. All the files are still there on the computers, I did not remove any files that were work-related or were [the] property of the university. After I explained that, they went, and came back and explained that they still had very few problems, but did not say what they were.*

*I think the whole purpose was because I was looking for a financial settlement, they wanted to decrease that as much as possible, because I could have sued them in court. They wanted to have that I did one thing wrong, that they did one thing wrong, and that we are even. They were going to give me less money, and I leave. They offered very little money and I refused it and said I was going to go to court. They offered me more - one year's salary and my tuition for the rest of my masters.*

*I just accepted the settlement. One very strange thing is that they would not give me a real reference letter, instead they gave me a future letter of reference that said that I worked for the university for 5 years. This will make it hard for me to find a job. Secondly, I cannot give anyone the copy of my settlement agreement, and third, they're not admitting that they did anything wrong. What my union representative was telling me was that this is the way they deal with all their problems, they never admit that they do anything wrong.*

[Are part of the conditions that you are not allowed to tell people what happened?]

*No, I can tell. I can show the document, but I cannot make a copy of this particular document.*

When pressed to define whether he had been discriminated against before September 11, 2001, El-Dermerdash said the difference was:

*It was more diplomatic before that, I understood that there was some sort of discrimination, but it was more like office politics. After September 11, with people putting their shoes in my face it took a very different direction. It was very open, even though they tried to convince me that there was no plotting against me, that I was sick maybe, that I was imagining it. But I found out that people were actually plotting against me in the office, and people in other offices.*

We can see the contrast between El-Dermerdash's relationship with colleagues in the office before September 11 and after when we read the reference letter that El-Dermerdash received from his former bosses at the office. The glowing letter does not paint a picture of a socially maladjusted, incompetent worker, but rather a professional, courteous human being (see Appendix G).

So, in the end, the system failed El-Dermerdash. When asked what role Human Resources played in resolving the case of discrimination at his office, El-

Dermerdash replied:

*Human Resources are supposed to intercede a complaint, even if I don't even bring it, even if they hear it from someone else. Now, this was a complaint brought to them, they never investigated my harassment complaint as far as I am concerned, but I asked on the very last day when I went and signed my resignation and accepted the settlement, I asked them very politely, have you actually looked into my complaint? The Human Resources person didn't say anything. My union representative said Osama, that is none of your business. I think it is, I should like to know what happens when people discriminate against you for a very long time. The agreement itself pretends that we are equal, because they made false accusations, they withdraw them, I withdraw my complaint, and take some money. But [Human Resources] are supposed to, under all conditions, to look into the complaints and tell me the result. They did not tell me the result, and they are supposed to. One thing I noticed was that they never want to admit that they do any mistakes. There are many misunderstandings, coincidences, close the file.*

In the end, El-Dermerdash got swept underneath the bureaucratic carpet. The university literally bought him off and the façade of an unproblematic multiplicity can persist. However, this intercultural society is rife with power imbalances and inequalities. It is crucial that we bring these into the light and see them for what they are and for the impacts they have on their victims.

#### • **Anonymous - code M001**

*A 29-year-old Jewish commerce student complained that he was hit and kicked by a member of the university's Muslim Students' Association. The altercation occurred Tuesday around 6:00 p.m. after the commerce student tore down a poster by the group Solidarity for Palestinian Human Rights on the 4th floor of the Henry F. Hall building.*

*"It's not acceptable on campus," said the student, who said he was afraid to have his name printed.*

*"I want to feel safe."*

- **Montreal Gazette, September 14, 2002**

The Muslim student in question, code M001 ("M"), told his version of the story. On September 10, one day after the Netanyahu event, the student had a class at 6pm on the 4th floor of the Hall building. He came to his class late and found that there were no more chairs left for him in the classroom. He, then, looked for a chair in other classrooms when he saw another student taking down several SPHR posters. M told the student to stop taring down posters because it was against university regulations. M knew about this policy as he sat on the Concordia Council for Student Life board (CCSL). M told him that he should not be ripping down other groups' posters. But the student continued and ignored M's request. M realised that there was nothing he could do about it, so he called security. Since he did not have the number, M called Basel [Al-Ken], the SPHR president at that time and told him that there was somebody ripping

down SPHR posters. He asked him to call security and tell them to come up to the 4th floor. The student who was ripping down the posters saw M talking on the phone about his intentions to call security. According to M, the student all of a sudden pushed, kicked him and ran away.

M describes being in shock, and getting up from the floor in a daze. He followed the assailant down the stairs to the mezzanine by the Mackay Street exit. He caught up with him there and held his hand to prevent him from escaping. There was a witness on the scene, and Al-Ken was still on the phone with him. While M held onto the student, the assailant was scratching and kicking him. M finally let go. The assailant fell back against the wall, and ran away just before the security guard arrived on the scene. The assailant escaped.

M told the security guard the whole story and only after he finished relating everything to him, did M find out that the security guard did not even speak English, even though he had been making sounds of affirmation all along.

M went outside with a security guard to look for the assailant, but he had disappeared. M then told the security guard that he was going to return to class. About five or ten minutes later, security guards and police officers came to call M from his class. They told him that the assailant had a head injury and that there was a little bit of blood, but that it was just a minor thing. They reassured M that he did not need to go to the hospital, but that the student was pressing charges against him.

M explained what happened to the security officers and told them that if the student wanted to press charges against M, then he also wanted to press charges against the student. Security and police advised him not to because this would be a conflict of interest. Police ended up arresting M that day.

At the end of October, M received a letter "from the University - security again - Jacques Lachance, security investigator. He was pressing charges against him via the university internal process. Lachance filed a complaint with the Office of Rights and Responsibilities on behalf of the assailant.

M can not understand why the security department was pressing charges against him if they did not witness anything.

One or two days before the trial, the charges were changed and put under the assailant's name. M said that it was very clear that it was not the assailant who wrote the charges: M believes that it was most likely another party who wrote the complaint.

At the Code of Rights and Responsibilities' hearing, the two security guards testified, the one who first saw M, (the non-English speaking one), and the guard in charge at the time of the event. Both of them were witnesses on the side of the student who was ripping down the poster. Yet none of them were actually present at the time of the incident. One saw M running behind the assailant, the other came on to the scene only after. M had his witnesses who saw the events unfold and he also had El-Ken who was a phone witness. Moreover, M had

pictures of his scratched hands. Yet the assailant refused to admit that he ever touched him. M has the medical report to prove that he was indeed scratched on that day. Finally, the decision of the hearing panel was unanimously in favour that M was innocent. All three panelists agreed that the charges should be dismissed.

M was going to file counter-charges at the Office of Rights and Responsibilities, but decided to withdraw his charges since he was advised that because his case was so strong the student could be expelled for one year. M didn't want to get him expelled.

The question here is, what motivated the security to get involved and testify against him? Why did the university see fit to intervene on the student's behalf, when they had in fact, witnessed nothing?

#### • **Chadi Serhal**

Serhal reports an incident of what he believes to be racial discrimination in a Concordia University classroom. Serhal had recently transferred to Concordia from the United Arab Emirates (UAE). The incident occurred in a history class about the Holocaust, one of the first classes he had taken here. He approached the professor before the first assignment was due to show him his work and verify that he was doing it correctly. The professor told him that the work seemed fine, however, when he got the assignment back, Serhal had received a D. When he approached the professor to inquire about his low mark, the professor tried to be encouraging, asking several questions about where Serhal was from, and then leaving him with a metaphor about this being the wind that would make his ship sail swiftly.

This particular professor also awarded merit points for participation in class. Serhal did not participate in class discussions, but neither did the woman who sat next to him. However, this woman got merit points, although she herself admitted to Serhal that she participated in as little class discussion as he did. Serhal believes that he was discriminated against because he is Arabic.

#### • **Afifa Naz**

Afifa Naz, a Muslim woman, experienced what she believed to be racial discrimination last September at Concordia University. Her story is reproduced below in her own words.

*I was just sitting in the cafeteria doing my work and - so weird! - the woman (I recognize her, she is a teacher in the chemistry department), she comes up to me and she starts saying, why are you here like this, I have fought for you in the sixties for all your rights and everything and now you are here like this. She gave me this whole speech and then she just left. It was kind of shocking, because I am studying, minding my own business. Why do you have to come up to me and say all this stuff? I saw her again and she just said again. I don't understand what she is trying to imply, like: "Keep up your culture never give it up*

*for anyone else." I don't understand what her point is because the first time she came up to me, she said all of those other things. And then the second time she saw me, she just said it and I never responded to her back.*

[So she came up to you twice?]

Yes.

[On that same day?]

*Not the same day, it was a different day. That day she just came up to me. The other day, the same semester though, I was waiting for the elevator, and she passed by me.*

[So the first time she came up to you and said I fought for you in the sixties, you think she was responding to the fact that you wear a covering?]

*I think so. . . because she said now you are here like this, by this I think she meant my covering and was like, "Good luck to you anyway." It was shocking.*

[Were people sitting around?]

*There were people, obviously, I was sitting in the cafeteria. But I think only one guy noticed what happened, he was sitting near me and he sighed.*

[Did you tell anybody what happened? Did you go to the Office of Rights and Responsibilities or the Ombudsman's office, or the Student Advocacy Office?]

No.

[Why did you choose not to file a complaint?]

*First of all, I wasn't sure of how I should proceed. I didn't know where to go and complain about it. And second of all, I just kind of ignored it, I guess.*

#### • **Anonymous – Code F001**

A Muslim woman of South-Asian descent who covers her head believes that she was subjected to two incidents of racism. Each case involved professors in the biochemistry department.

The first occasion occurred within a few days following the 9/11 attacks. F001 (or "F") approached the professor to ask her a question about safety in the laboratory. Her teacher, visibly startled, replied: "Why? Are you planning on having an accident?"

F has no doubts that this comment was made in fear, given the hysterical post-9/11 climate, when Muslims

and Arabs were suddenly regarded with suspicion.

But the discrimination continued throughout the semester. Whenever F would approach her professor, the woman would become "frazzled". She would "tense up visibly" and "answer questions hesitantly". The way F figured out it was racism was by watching the professor's interaction with other students. With other students, the professor did not behave this way. Now, F tries to avoid classes with her, although eventually, she will need to take at least one mandatory class with this professor.

The second incident involves another professor in the faculty who didn't like F's public persona. It was just after the anniversary of 9/11 and F was doing a lot of interviews on national television about racial profiling, racism and anti-Muslim hatred. Her professor told her that he didn't "like" it, and that she should cease this activity. He told her that he didn't like "the stances" she was taking. F considers the stances that she was taking to be important: going public with the underlying causes of racism, and the prejudice and discrimination in society. These were the "stances" that F's professor didn't like.

F understood this little talk to be a veiled threat that if she didn't shut-up, her marks would suffer. F was frightened because she knew that any avenues she tried to take with him would be dead-ends. There was no choice but to try to appear as though she was staying in line.

**• Anonymous – Code M002**

One final testimony of discrimination in this section is given by an African Muslim student at Concordia:

(M002): *I only had one problem with a teacher and even though I had a sick note and I missed his exam, he would not let me write it again. That was a Poli-Sci class that I took, that I chose as an elective.*

[What made you believe that it was racial discrimination?]

*What makes me believe that, was that he always treated in a way different. He treated me different when I handed in an assignment and whenever I asked questions. He was nice to everyone else that I knew and when I asked, People, is this teacher, is he really bad to you at all? They were saying, No, he is nice. Whenever I talked to him he gave me a bad look, uncomfortable, and said, Ask the T.A., or something like that.*

[Do you remember approximately when this happened?]

*That was last year. [2001-2002 school year]*

[Did you do anything after that incident?]

*No, I didn't. I just failed that class, basically because of that. One of the problems - it was my mistake in a way, if*

*you look at it... because when you are sick on an exam date, which I have never done before, I have never been sick on an exam date, that was my first time - I didn't know the procedure that you have to go through. If you don't hand [the sick note] in that week, then the only way you can re-write the exam is to just talk to the teacher. When I went to the administration, they said we have nothing to do with you, even though I explained to them that this was my first time, I have never been sick in an exam, I had my sick note and it was just in my pocket. I just thought that if you were sick and you might have to rewrite the exam another time. But you had to get the sick note [to the teacher] a week [after missing the exam]. Which I didn't do. But I didn't know. The administration said I cannot do anything for you, the only person you can talk to is the teacher. But the teacher and I didn't get along through the whole semester; he didn't care what I had to say or if I had a question the whole semester. I dropped the sick note and the reasons and the problems that I had with the administration [off to the professor] and explained that he was the only one that can do that favor for me. I actually sent an email explaining that to him too. But he never got back to me, I left my phone number, my email, my sister's phone number, my address. But he never even said, Sorry I can't do anything for you. That is what made me go, ok, this guy is just totally not into it. I decided he just didn't feel like helping me out or trying to feel pity for me.*

[You said before like you felt that your teacher treated you differently in class. Can you explain what you mean?]

*I asked questions whenever I could after class, like if there was an assignment due, or an exam coming, and he would never give me a straight answer, he would tell me to just go talk to the TA. Everybody else, I know people from other classes that I talked to and they never complained. Some complained, very few though. For me it was, I could say it was biased, racist, whatever you want to call it, but it was just really mean.*

[Did you tell any authorities, like the Ombudsman's Office or the Office of Rights and Responsibilities?]

No.

[Why did you decide not to?]

*I don't even know that those other people can help me out. I still did not like that because it was hurting my GPA, I am still trying to get any help from anyplace, but through that year I was just busy, so...*

[You didn't go to the Student Advocacy Office either?]

No.

[Without mentioning the name, I know that you are

associated with a student group on campus, an ethnic student association, within that group is there, do you come into contact with other students who have experienced racism in the university?]

*When I discuss with different people in my race that I speak of about different issues, mostly academic and teachers, they always complain of their teacher grading them lower than what they expected most of the time, because it is totally that teachers have different perspectives to look or perception, which is that everybody has their own background... The problem is through the teachers, maybe they didn't have the proper training to deal with different cultures, to look into terms and get into the psyche of different cultures, different thinking, different language or different religions and where other people are coming from or the way they put their story together and how they discuss whatever matter that they have to explain in that paper. That is a big problem with any institution. I am not going to say it is only at Concordia: that is basically a Canadian, or you might say, an American problem.*

### 1.3 QUESTIONNAIRE ON RACIAL DISCRIMINATION

A questionnaire asking students whether or not they had experienced what they believed to be racial discrimination was distributed to 256 students at Concordia University (see Appendix H for questionnaire).

#### • **Representation**

For an accurate idea of the demographics of the Concordia student population, *Focus: Facts on Concordia Students*, (Volume 3, Issue 2, November 2002) was consulted. The data collected from this survey will be compared to the figures found in *Focus* in order to establish the degree to which the survey accurately represents the demographics of Concordia University students.

But first, a note on the sample selected for the survey: the particular demographics encompassing visible and religious minorities was intentionally sought out, since they are the most likely to experience racial discrimination. This prejudices the sample selected, but supports the aims and objectives of the survey, which were to conduct exploratory research into racial discrimination at Concordia.

- **Gender:** Slightly more women than men attend Concordia University. The racism survey solicited an almost perfectly equal response from men and women: 50% men; 48% women; 1% transgendered; 1% unanswered.
- **Full-time/Part-time status:** Just under six out of ten students attend Concordia University full-time. 91% of

respondents to the survey are full-time students, the remaining 9% part-time.

- **Faculty:** Arts and Science: 49.31% (*Focus*) vs 41% (racism survey); Fine Arts: 9.83% (*Focus*) vs 6% (racism survey); Engineering and Computer Science: 20.25% (*Focus*) vs 29% (racism survey); John Molson School of Business: 20.61% (*Focus*) vs 18% (racism survey). The figures appear remarkably close in each faculty.
- **International students:** Nearly a sixth of all international students come from the Middle East, putting the figure at 404. There are no official figures on the number of Muslim and Arab students at the university, but estimates range from 3-5,000. This would account for between one seventh and one fifth of the total student population. 24% of respondents to the racism survey were of Middle Eastern descent, making the number a bit higher than the actual demographic. No figures exist for black, Asian or other students.
- The total sample population was diverse: three fifths of the total sample identified as a linguistic minority; 26 languages were named, including (in order of frequency of appearance) Arabic, French, Urdu, Spanish, Farsi, Polish, Gujarati, Hindi, Bengali, Hebrew, Greek, Creole, Marathi, Swahili, Chinese, Romanian, Punjab, Vietnamese, African languages, Tagalog, Somali, German, 'Iraqi', Italian, Turkish, and Bangla. 66% of respondents identified as religious minorities, which included (in order of frequency of appearance) Muslim, Christian, Buddhist, Hindu, Jewish, Atheist, Rasta, Zoroastrian, Sikh, Shiite Muslim.

#### • **Racism**

Over half of these students were Muslim (53%), while only 24% identified as Middle Eastern. Eighteen per cent were black, and another 21% were Asian. This Sixty-four per cent of respondents mentioned speaking another language other than English, as well.

- 77% of respondents said that they had not experienced what they believed to be racial discrimination. 20% said that they experienced what they believed to be racial discrimination by faculty or staff at the university, and another 3% experienced discrimination by students, more generally, or they were not sure what the nature of the discrimination was.
- Of the 20% who had experienced what they believed to be racial discrimination, 61% of these people identified as Muslim. Another 31% did not identify as being part of a religious minority. 4% checked off that they identified as a religious minority, but did not specify which. Another 2% identified as Christian, and 1% identified as "Rastafarian".
- Of those students discriminated against, 29% identified as Middle Eastern. These identifications included North African, Palestinian, Kuwaitian, Muslim, Middle Eastern and Arabic. Most of these respondents identified as speaking Arabic, with some speaking more than one language, which included Farsi, Hebrew, Greek and French.

- Of the 20% of black respondents who had experienced racial discrimination, only one person identified as being a religious minority, which was Muslim. Of these black respondents, the most common identification of linguistic minority was French. Others included Spanish and Creole, and one respondent wrote "African language."
- 12% of students who experienced racial discrimination identified as African, as well. Of these, some identified as Muslim (2), Christian (1) and Jahrestafarai (1), and two wrote that they were not religious.
- 18% of students who experienced racial discrimination identified could be classified as Asian. This group included people from South Asia, Pakistan, India and Asia. Most of these respondents were Muslim and most of them spoke Urdu. Other spoken languages identified were Bengali and Punjabi.
- Other answers were more general. 12% of respondents answered "yes" to the question of whether or not they were visible minorities; of these, two wrote that they were Muslim, one speaking Urdu, the other Arabic. Of the three who wrote that they were not religious minorities, one wrote that they spoke Creole. 6% of respondents wrote that they were not visible minorities. Of these people, two of them identified as Muslim, and one of these people spoke Arabic and Urdu, and the other, French. The third person did not identify as a religious minority, but spoke French and Spanish.

- ***Conclusions***

From these statistics we can draw the following conclusions: A bit more than one fifth of the respondents surveyed claimed to have experienced racial discrimination. This figure represents a substantial number of people, about whom statistical information is presented below.

Out of the 256 students surveyed, 53% identified as Muslim. Out of the total number of students who had experienced racial discrimination, 61% identified as Muslim. One could conclude from this that while just over half of the total number of respondents were Muslim over half of those Muslims had experienced racial discrimination, highlighting a tendency of racism against Muslim students.

Of these Muslim students, there is a geographic spread. Those Muslims who identified as Middle Eastern (24%) tended to speak Arabic. Those Muslims who identified as coming from an Asian country (18%) tended to speak Urdu. The conclusion we may draw from this is that Muslims, perhaps regardless of whether or not they are Arabic, tend to experience disproportionate amounts of racial discrimination.

However, of all the black students who experienced racial discrimination, only one person identified as Muslim. Therefore, it is clear that not all racial discrimination is necessarily limited to Muslims. Of the 6 of respondents who identified as African, two identified as Muslim. The collectively low numbers of Muslims in both of these racial categories shows that the racism is

probably racism based on skin colour rather than religious status.

The written statements of survey respondents' cases of racial discrimination have been reproduced in Appendix I.

# PART 2:

## RETHINKING SEPT. 9th

## AN INVESTIGATION INTO THE SHUTDOWN OF NETANYAHU'S VISIT TO CONCORDIA

### 2.1 PURPOSE OF THE INVESTIGATION

This investigation was warranted as necessary by the Concordia Student Union executive (CSU) due to the following concerns: widespread misrepresentation in the media about what happened on September 9; the erroneous University and police charges against several demonstrators that day; a complete absence of reporting on police brutality and incidents of aggression perpetrated against demonstrators by ticket-holders; and lastly, to provide a service to all members of the union for now and time to come, so that students may possess a document that presents the history of a student event of this scale and impact from a point of view that has been thus far neglected.

The purpose of this investigation is to reconstruct what happened on September 9 from the perspective of the demonstrators. Initially, this report was also meant to include testimony from ticket-holders and organizers, but due to their near-unanimous non-cooperation, we have pursued our inquiry without what surely would have been their beneficial testimony. This report will cover the time period between when tickets first became available for the event up until the first few weeks of its aftermath.

This investigation is also, to some extent, a response to (and modelled after) the report that Susan Magor submitted to the Vice Rector Services on behalf of the Concordia Environmental Health and Safety Office (see [www.concordia.ca/about/administration/pdf/Report9sep-E.pdf](http://www.concordia.ca/about/administration/pdf/Report9sep-E.pdf)). It is many students' belief that as well as containing factual errors in the chronology and content of the event, as well as falsely characterizing the demonstrators at points, the report left out the most critical aspect of the protest, the agency on the part of the demonstrators. Of course, one could argue that looking at agency was outside the scope of Magor's report, but it is our belief that the meaning of Benjamin Netanyahu's invitation to Concordia University is an important component of the risk assessment, and should be included in any critical review of September 9.

It is in the spirit of this recognition that we include a component in this report that addresses the question of why nearly 2,000 people participated in the demonstrations against Benjamin Netanyahu.

The purpose of this report is not, however, meant to answer the question of whether Netanyahu had a "right"

to speak. Rather, this investigation seeks to present what happened that day from a perspective that until now has been largely ignored – as Sir Isiah Berlin so wisely understood about culture: bent twigs will eventually break.

### 2.2 SOURCES OF INFORMATION

Information for this report has been derived from 29 first-hand solicited accounts; material published by ticket holders; and a close review of three videotapes, two of which are demonstrators' footage, and all of which have extensive footage of the occupation of the escalators.

### 2.3 SUMMARY OF THE EVENTS – WHAT HAPPENED?

#### **Clearing up misconceptions of a highly controversial day.**

A demonstration planned to protest against former Israeli Prime Minister Benjamin Netanyahu's planned lecture at Concordia turned ugly when clashes broke out between demonstrators and ticket-holders on Bishop Street, and escalated further when riot police beat unarmed demonstrators in the lobby and mezzanine of their university.

Since the downtown Hall building was not well secured, demonstrators took advantage of the easy access onto the mezzanine and escalators to reclaim what student protesters saw as their occupied University building. Riot cops were sent in to secure the space and push the protesters out, and they slowly began to push the protesters back up the escalators to the mezzanine while the protesters chanted and cheered for approximately one hour and a half.

When a few protesters decided to move down and attempt to occupy the lobby, riot police became more aggressive, leading to severe beatings and two arrests. Demonstrators expressed their anger at the police brutality and aggression by throwing newspapers and projectiles at the police. Demonstrators outside of the building were pressed up against the glass windows looking inside, watching all of this unfold. They were banging on the windows in protest of what they saw. After the second arrest, the window broke. It is unclear whether this was caused by a few individuals or the collected force of the window-banging.

At this point, the police sprayed pepper spray through the breach in the window, but most of the spray got sucked back into the University building. Riot cops

began to shove the demonstrators more aggressively up the escalators, until the escalators were completely cleared. Eventually, most of demonstrators cleared out of the Mackay exit.

Students, staff and faculty were trapped in the smoke-filled building because the police refused to pull the fire alarm and release the locked doors, violating the safety codes of the building. The Mackay street exit was open, but people were given conflicting information and directions about how to proceed there, and many were told to return upstairs.

Sometime before this, a decision had been taken to cancel the talk and close the University building for the day.

The event was organized by the Concordia chapter of Hillel, the Quebec section of the Canada-Israel Committee, and Winnipeg-based Asper Foundation. The demonstration was organized by the Coalition for a Just Peace in the Middle East.

There have been reports submitted by both ticket-holders and demonstrators alleging that they were victims of racial slurs and physical attacks, both inside and outside of the building.

More details describing the sequence of events can be found in Appendix J.

## 2.4 AGENCY

Fundamental to a risk assessment on whether it was safe to bring Netanyahu to Concordia University is the question of what, if any, threat he personally posed to the students at Concordia University. While many argue that freedom of speech is an absolute principle, we do have laws in Canada that draw the line between freedom of speech and hate speech. As one demonstrator put it: "No free speech for hate speech."

It is not within the scope or expertise of this report to contest or adjudicate the laws of Canada, nor international laws, but it is essential to mention the war crimes Netanyahu is accused of committing. Following this, I will survey the responses, which fall into six main categories, as to why people chose to demonstrate against Netanyahu and shut down the talk.

### A. BENJAMIN NETANYAHU

Benjamin Netanyahu stands at the extreme end of the mainstream Israeli political spectrum. He is a fierce advocate of a "Greater Israel", the fundamentalist Likud party tenet that calls for a Jewish state in all of Israel-Palestine, offering nothing to the indigenous Palestinians aside from limited autonomy or, preferably, encouragement to move to neighbouring Jordan. To him, the 1993 Oslo accords, which envisioned a final settlement granting limited Palestinian self-determination in separated cantons, were "a crime against Zionism", which he worked to undermine during his tenure as Israeli Prime Minister from 1996-1999.

Netanyahu's record in office marked a degree of irrational extremism that quickly infuriated almost

everyone with which he dealt beyond his inner circle. His September 1996 decision to blast open an archeological tunnel beneath the al-Aksa Mosque in Jerusalem created an uproar amongst the Palestinians, for the great affront on one of Islam's holiest sites and the blatant violation of the mutual agreement to resolve the sensitive issue of Jerusalem through negotiations, not unilateral action. The excavations set off massive Palestinian protest and anger, leading to the deaths of fifteen Israelis and eighty Palestinians in just three days of confrontations.

Another provocative and illegal action of Netanyahu's was to approve plans for the building of the Jewish settlement Har Homa (originally called Jabal Abu Ghneim). Built on land expropriated from Arab East Jerusalem -- in violation of UN resolutions going back to Partition Plan -- the new settlement was strategically situated to complete a ring of Jewish settlements around East Jerusalem, isolating the city from the West Bank.

The allegations of Netanyahu's status as a war criminal stem from two main contentions. For one, as Prime Minister of Israel, his policy of settlement-building in the illegally-occupied West Bank and Gaza violate the Fourth Geneva Convention, the governing code of law that also forbids many other policies of the occupying Israeli government, including brutal cases of torture that have been well documented by the Israeli human rights group B'Tselem. Secondly, Netanyahu also ordered bombing raids that killed Lebanese civilians in 1996.

Since leaving office in 1999, Netanyahu has remained prominently in the public eye. He frequently guests on mainstream news shows and gives speeches on lecture tours, openly equating the fight against Osama bin Laden's terror network with Israel's fight against the Palestinians. He continues to reject the idea of a Palestinian state. At a May 12, 2002 gathering of the Likud Party Central Committee, Netanyahu told his party colleagues that Palestinian statehood would never occur. "Not under Arafat or under any other leadership. Not today, not tomorrow, not ever."

Netanyahu's visit to Concordia occurred during a particularly volatile period of the Israeli-Palestinian conflict. The visit also coincided with the one-year mark of the 9/11 terrorist attacks, which Palestinians feel Israel has exploited in an attempt to justify its brutal incursions into the Occupied Territories that have killed hundreds and injured thousands more. Netanyahu has been amongst the most vocal advocates of these brutal policies, which, conscientious Israelis recognize, have also only brought brutal terrorist responses from the Palestinian resistance.

As well, at the time of September 9 Netanyahu was widely-considered to be next in line as Prime Minister of Israel, a prospect that distinguished for many Palestinians and their supporters the line between a controversial speaker expressing his views, and a controversial political agent, able to implement policy and affect real consequences.

### B. WHY DID YOU PARTICIPATE?

From the nearly 30 interviews conducted with participants of the demonstration against Netanyahu, six main reasons were presented for why people chose to protest. Important to keep in mind here is that not all of those protesting against Netanyahu wanted to shut him down. Many identified with all of the reasons presented below for attending the protest, but were not necessarily aiming for his speech to be cancelled.

The **first** and most common reason for participating in the protest is that Netanyahu is a war criminal. People referred to the killing of thousands of Palestinians, the torture of Palestinians, the building of settlements, and the torture of thousands of detainees. These alleged war crimes are well documented, although Netanyahu has neither been charged nor tried under international law. See Appendix K for the warrant prepared by demonstrators for Mr. Netanyahu's arrest.

The **second** mention goes to Netanyahu's engagement in hate speech. One protester talked about the lengths Netanyahu has gone to, to state that Palestinians have fabricated their genealogies, that the Palestinians have no right to sovereignty, that the Palestinians only have residential rights, but not historic or national rights to Palestine - all legitimizing the occupation of Palestinian land. It was pointed out that within his own country he was boycotted for inciting violence, and that there are rules about hate speech at Concordia University that were flagrantly ignored in order to allow him to speak.

The apparent hypocrisy here is that Concordia University has not hesitated in the past to boot people off campus for distributing anti-Zionist material. In fact, in this instance proof that the distributed materials constituted hate speech was not even deemed necessary (see Appendix L).

The **third** reason presented for demonstrating against Netanyahu is that the talk was not organized in a democratic spirit. Protesters allege that the talk was held for a pre-selected audience, with no question and answer period to follow. I will now briefly unpack these allegations, since they were a central concern to so many demonstrators.

#### • **Ticket Availability**

Patrick Amar, an organizer of Netanyahu's visit to Concordia, was asked to respond to allegations of the inaccessibility of the talk to a wider range of students. He replied: "Unfortunately, we couldn't open it to everybody. If we could have done something, like have a wire-feed, or showing it to a lot more people than just H-110 holds, then we would have had a freer and more open discussion. Unfortunately, we were capped on the amount of people who could come in."

He admitted that "the tickets were given away and the way tickets were given away were that since it was a Hillel event, we gave priority to our Hillel membership. Just like any other group would do. Just like if you are not on the mailing list of the Latin Student Association, you

don't know about their Friday night party. Or on the African Students' Association, you don't know about their artistic display on Sundays. They went in two days. We had offered to certain people in the student union special tickets that we wanted to come out and see."

Was the audience pre-selected? "No. How could it be pre-selected, we didn't send out invitations or anything. We publicized it through our newsletter, website, and in different newspapers and stuff. We had a mixed group. Most people were Jewish, but we are a Jewish group and give priority to our members."

Many people interviewed for this report said that they tried to get tickets for the event, or else knew

someone who tried to get tickets for the event, but were refused. Most people

said that they tried to get their tickets within hours of the talk being officially announced, but they all heard back within 24 hours that tickets were already sold out. One woman, a graduate student of religion at Concordia University, said she got the run-around for a week. Finally, a day before the event, she finally caught up with an organizer and was given a ticket.

One year earlier, Netanyahu had planned to give a lecture at Northwestern University before he chose to cancel due to "increased security concerns." Students made the same complaints of inaccessibility in Chicago that demonstrators made in Montreal:

"Students questioned the university's priorities when a large number of tickets were reserved for the members of foundations and institutions outside of Northwestern who donated money toward the event, making it nearly impossible for students to get tickets." - (Neil Crawford, Socialist Worker, February 8, 2002)

Had this fundraising event/leadership campaigning been done at a private venue, none of these issues would be pertinent to an investigation into Netanyahu's visit. However, the choice to hold the talk at a public university was called into question on the basis of the intentions of the organizers and the nature of the event.

#### • **Question and Answer Period**

Another common perception of Mr. Netanyahu's talk was that there was to be no question and answer period following the talk. One of the indications that this might be true is that inside H-110 there were no microphones set up for questions. Also, from what people could gather from articles about previous talks, Mr. Netanyahu did not normally have a question and answer period following his speeches.

The **fourth** reason presented for why people protested against Netanyahu is that students' rights to have access to their own space and any activity that takes place therein were violated on that day. Many of the demonstrators interviewed were appalled that the administration was willing to turn the campus into a militarized zone to protect Netanyahu, while their own safety was not considered significant. This outrage

seemed to grow throughout the day of the demonstration as authority over Concordia was handed to the police and the MUC, who in turn intimidated and beat students; students were having great difficulties accessing their classes, as well; and fire safety codes were ignored.

The **fifth** reason that people demonstrated against Netanyahu, according to mostly Palestinian demonstrators, was that in order to maintain the dignity of the Palestinian people, one could not dishonour oneself and one's people by allowing the man who killed so many Palestinians to be welcomed onto their university campus.

One activist at the university believes that the administration's decision to ignore the first risk assessment

( which discouraged them from

**"They insisted that the event be held in the viper's nest of militant Islam."** - Concordia Spokesperson Chris Mota

allowing the talk to take place at the Hall building, see section 2.5) also ignored some very stark realities about the Palestinian population on campus: "You have hundreds of students at Concordia who to some degree either understand the realities of the occupation because they come from that reality themselves, or they have family members who live in it, or have taken the time to become educated. I think that is the context into which Netanyahu was invited."

The **final** reason is rather complex. It has to with a message that many pro-Palestinian demonstrators meant to send to Netanyahu and to the university, and that message was: we will not be governable if our concerns are not recognized. This was cast in the media as a sign of demonstrators' inherent incivility and violence. But if Netanyahu's crimes against humanity would not be taken up in the world courts, they would be taken up in the streets. If the Palestinian narrative didn't have a hope of being represented in the corporate media, then they would not mince words, they would take action, and shut him down.

Demonstrators are not a monolithic group of people. There are probably hundreds of nuances to the explanations presented above, and some left out all together. As well, while some demonstrators identified with all of the reasons offered above, others may only identify with one, or maybe two. Identifying these tendencies, however, helps us to understand the moral agency behind what drove these pro-Palestinian demonstrators, many of which are human rights activists, to protest against Netanyahu on September 9.

## C. THE ORGANIZERS

A *Globe and Mail* (September 14) article about the demonstrations against Netanyahu reports that although Netanyahu has visited Montreal several times "without a fuss" at private fundraising charity events, this year the organizers wanted to "make a statement by staging it at Concordia." The event had been scheduled after "the Asper Foundation... approached members of the Montreal's Jewish community about their interest in having Netanyahu speak."

"I thought it would energize the [Jewish] students and be a rallying point for the start of the school year," said Rabbi Poupko, one of the organizers of the event. "It would be a day of pride for them." Likewise, Concordia spokesperson Chris Mota explained to Montreal weekly *The Suburban* ("Top Cop Vows Con U Probe," September 18) that the organizers had refused the administration's offer to hold the event at Loyola, site of a larger venue and much more favourable security conditions. The reason: "They insisted that the event be held in the viper's nest of militant Islam." In the same article, an anonymous senior administration official is quoted as saying how, "We were played like a yo-yo," by the organizers. "We were put under enormous pressure to hold the event in H-110."

Given the history on campus, particularly the administration's prior denial of a pro-Palestinian rally out of security concerns that couldn't approach those raised on September 9, and Netanyahu's own record at both the rhetorical and political level, there is no doubt that the organizers knew quite well the outrage and disconcertment that Netanyahu's presence would elicit.

## D. ISRAEL ASPER

Israel Asper has never been shy about his contempt for Palestinians. One of the major sponsors of the event, Israel Asper is a vocal supporter of Israel's policies of occupation.

Asper is the CEO of CanWest Global Communications, a Winnipeg-based media corporation, and Canada's largest. Asper purchased the Southam newspaper chain in 2000, and since then CanWest's Canadian portfolio has come to include 126 community newspapers, the second largest national television network, a major internet portal as well as 14 major metropolitan daily newspapers, including the nationally distributed *National Post*. His global portfolio also includes major stakes in television broadcasters in Australia, New Zealand, and Ireland.

In December 2001, Asper dictated that corporate editorials, written in the head office in Winnipeg, must run weekly in his 14 metropolitan newspapers in Canada. According to the "Gazette Intifada" – its members comprised of dozens of prominent Canadian journalists, authors, politicians, activists, and academics – the Aspers have clamped down on news, criticism, or commentary that is anything but pro-Israeli policy, particularly in their treatment of Palestinians. According to journalists, any negative coverage of Israel has been forbidden, punishable by dismissal. For example, writers Richard Gwyn and Gwyn Dyer are now excluded from all newspapers controlled by the Aspers because they were not sufficiently supportive of Israel in its conflict with the Palestinians.

Other examples of Asper's editorial rules include banning the use of the terms "occupied territories" and "illegal settlements." Asper refers to the use of these

terms as being among the “tools and weapons used by journalistic propagandists in their desire to create undeserved sympathy for the Palestinian people.” These same terms, reporter Sue Montgomery points out, refer to decisions of the UN Security Council that conclude that settlements have no legal validity and that Israel’s policies constitute a “flagrant violation of the Fourth Geneva Convention” and are a “serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East.”

Asper has also been condemned by PEN Canada, who hold CanWest global to Article 4 of the International PEN Charter: “PEN stands for the principle of unhampered transmission of thought within each nation and between all nations, and members pledge themselves to oppose any form of suppression of freedom of expression in the country and community to which they belong, as well as throughout the world wherever this is possible.” They further state that, “the decision by CanWest Global to place one identical editorial on its newspapers’ editorial pages across the country, without allowing contradictions to this ‘core position’ to go on those same pages, is a violation of established principles of free media and an invitation to self-censorship.”

It is essential to note at this point, because the contradiction stands at the height of hypocrisy, that it was Asper’s own media editorials that screamed out for “freedom of speech” when Netanyahu chose not to face his opponents on Concordia campus.

## 2.5 RISK ASSESSMENT

*“I don’t know how many risk assessments you need. I guess you just ask until you get the right one.”*

- Adam Slater, CSU Council member

### A. THE CASE OF THE MISSING RISK ASSESSMENT

According to Magor’s report, there were two risk assessments conducted regarding Netanyahu’s appearance at Concordia. An access to information request for these risk assessments, filed by CSU Council Patrice Blais, elicited a response from the university claiming that the release of this information would “jeopardize investigations”. When questioned in the university Senate, Vice Rector Services, Di Grappa and Operations Officer Dumoulin claimed that no risk assessment was ever committed to paper, therefore it could not be presented.

CSU President Sabine Freisinger was met with similar claims when she demanded to see the risk assessments in a Board of Governors meeting. This is remarkable, considering that the MUC, RCMP, Concordia Security, and an entire body of university staff were involved in these deliberations, yet there appear to be no records of these discussions. “I don’t know what would have happened if someone got killed and there was a coroner’s inquest and the [investigators] asked, ‘Can we see the risk assessment?’ and the [university] said, ‘Oh sorry, there is nothing on paper.’ It is really insane. Obviously, there is something missing somewhere,” said Slater.

But perhaps what is even more remarkable is the fact that the university would not even admit at first to the fact that there was a first risk assessment done by the Director of Security. It wasn’t until September 13 that the Rector admitted to the university Senate that in fact there were two risk assessments done. As Magor’s report points out, the first assessment concluded that the safety of students could not be guaranteed if Netanyahu’s talk was held in the Hall building, recommending it be held instead at Loyola.

In fact, the whole affair was first dealt with when Marcel Danis, Vice Rector Institutional Affairs, was Acting Rector over the summer, and Dean Martin Singer, from Arts and Science, was the Acting Provost. According to internal sources, Dean Singer told Hillel, ‘You can have the ice rink at Loyola, period.’ However, when Lowy and Lightstone returned from their summer holidays, the decision was presumably overturned. When Lightstone was asked in Senate whether or not he supported bringing Netanyahu to the Hall building during the deliberations of the Rector’s Cabinet, he refused to answer, even if it put him in contempt of Senate. Slater comments: “So, this was the kind of transparency and accountability that we are dealing with here, which is basically none.” Michael di Grappa in a meeting with the Central Advisory Environmental Health and Safety Committee also refused to answer any questions about the decision-making process of the Rector’s Cabinet. However, we know that there was some discussion regarding the sensibility of holding the event in the Hall building because at the September 12 Senate meeting, the Dean of Engineering and Computer Science, Nabil Ismael stated that there was disagreement in the Rector’s Cabinet on whether or not the event should be held in the Hall building.

Regarding the disagreement in the Rector’s Cabinet, Slater says: “They are charging individual students for the events of September 9, but the administration, other than taking this diffuse, well, ‘we should have done this better’ approach, is refusing to take any personal responsibility.”

The second risk assessment states that since “the CSU and other student groups had assured the administration that the demonstration would remain peaceful” they had changed their minds about the list of 11 valid points that security had presented for holding the event somewhere else, namely, Loyola.

A request was filed to the university for access to any information pertaining to these “assurances” by student groups. One month later the reply arrived: no documents exist matching this description (see Appendix M).

And, in fact, blaming the demonstrators for the lack of security at the event was a frequent play for the administration and an easy fall-back position after September 9. When asked in a special meeting of Concordia’s Environmental Health and Safety Committee (October 23) why there were only yellow ribbons, and no MUC officers to stop people from entering Mackay between buildings, Michael di Grappa replied: “The doors

on the terrace leading to Java U were supposed to have been locked up and they were not. One of the groups of demonstrators told the University Security Department and the police that they would not create any problems, this was not the case. The demonstrators walked on Mackay Street to the back of the Hall building and got in by Java U. *The demonstrators were not supposed to do this.*

Although the university was aware of the risks involved in bringing Netanyahu and failed to secure the building, they have placed all of the responsibility for the demonstration squarely on the shoulders of the CSU, SPHR and the Coalition for a Just Peace in the Middle East. Placing the burden of security on student groups, rather than taking the responsibility themselves to secure the building meant avoiding the true danger that security put people's lives into that day. If someone had attempted to assassinate Mr. Netanyahu on September 9, they would simply have to walk in through Java U, use one hand to push aside the rolling dividers on the mezzanine, press the stop button on the escalators, proceed down the stairs through one police officer and a dog, run to H-110, withdraw their weapon, and fire. In fact, that person could have shot up the entire room. In short, the security measures put in place on September 9 were extremely irresponsible and dangerous.

Inside the lobby, the demonstrators were non-violent protesters until they retaliated with furniture, newspapers and a fire extinguisher to police beatings that broke one student's ribs and another's finger. For its part, university administration endangered the lives of all of their students, as well as their foreign guest, by failing to secure the building. Then, through their discredited university trials (see Part III), the administration prosecuted a group of human rights activists who wanted only to draw the world's attention to the war crimes of a man who ordered the murder and torture of their own family members and were forced to witness that day the red carpet rolled out for him in the lobby of their own university, while they themselves were denied entry to the event.

Even before September 9, CSU President Sabine Friesinger called the Vice Rector Services and Security and said, "I think we should be at the table for coordinating the security measures, and they refused our presence there, and I think that a lot of problems could have been solved had we had some coordination there. There could have been a cordoning off of the demo and the people attending the talk to avoid clashes, also a clear statement of police presence here in riot gear on campus. They just refused our presence at the table. That is part of the problem when they said they had our assurances that nothing would happen, I mean, how could we assure them that nothing would happen when we didn't even know what the security measures would be?"

Presumably, these "other groups" that gave the assurances that Magor mentions in her report refer to the Coalition for a Just Peace in the Middle East, and SPHR. But Samer Elattrash, one of the organizers of the

demonstration, states quite clearly that he notified the Vice Rector of Services and the Dean of Students of the groups' intentions to shut down Netanyahu's talk. Elattrash's statements are reproduced below:

*I only met or spoke [to the university] twice, or three times actually, regarding September 9th on whether it would be peaceful or not. I had been identified before then as an organizer for the Coalition for a Just Peace in the Middle East, and this was printed in an article printed in the Montreal Mirror, and in the article, it said that we were going to block Netanyahu from speaking. Two days after the article was published. . . it should have been Friday the 6th, I first spoke with security and told them that it would be peaceful. Immediately after walking out of the security meeting I called Michael di Grappa, at his office, and I told him that we had come to the decision that we were going to block Netanyahu from speaking. I requested that it is really quite beyond their control that people are going to have to block him and we don't want to see a situation where things might deteriorate, which is where riot police are involved. The reason I spoke to security was because I wanted to know the deployment of riot police, and whether there were going to be police, whether it was going to be sizable. When they told me it was, I immediately called Michael di Grappa, and told him that I think this thing might get out of control, and that therefore this event should be cancelled, I am warning you, right now that things may very well go out of control, that there may be tear gas used, that there may be dogs set on people, that people might get hit with batons, you are never going to know what might happen in these situations. And I formally requested on behalf of my organization that the event be cancelled. This was around 1:00, 1:30 in the afternoon. I had met security before that, at about 10:00 in the morning.*

[What did security tell you?]

*Security told me that there was going to be riot police deployed.*

[Did they mention numbers?]

*They didn't mention numbers, they said that all entrances will be closed, with the exception of Mackay, there was going to be a metal detector, they basically laid out their security preparations. The reason I called Michael di Grappa was that I was aware that in an hour he had to go to a meeting with other organizers of the event, and I wanted him to take that into the meeting with him. Once the meeting was over, around 4:00, 4:30, I searched down the Dean of Students who also attended that meeting and I told him pretty much the same things, that things might get out of control, there was movement to block it and it was beyond really myself or anyone else that people were coming to block it, and I gave them a very clear warning that it was going to be blocked.*

[So Boisvert and Di Grappa, they went into a meeting. . .

who was in the meeting?]

*I think it was with the Vice Rector, the Rector's Cabinet and the Emergency Task Force.*

[And what did Di Grappa say when you told him Netanyahu would be blocked?]

*He shrugged me off. Di Grappa said, "you do what you do and we'll do what we do".*

Laith Marouf, another organizer of the demonstration, said: "Many individuals, whether Samer Elattrash or others, clearly stated to the mass media that we will be shutting down the segregated speech to be given by Benjamin Netanyahu. The whole city was plastered with posters, huge ones, small ones. So, for weeks people knew that this was going to happen." When asked what the posters said, Marouf replied: "The posters said "shut down Netanyahu," it can't be clearer than that."

Even the mainstream press could pick up the story of the "shut-down." The *Globe and Mail* reported on September 14, that, "From the moment word about the speech began to spread, protesters on the Palestinian side vowed to shut it down. In the days before Mr. Netanyahu's arrival, a notice was circulated among Montreal's Muslim and leftist websites, announcing that a "peaceful protest" would be organized to counter the event. At the same time, the announcement made it clear that 'the intention of this demonstration is to stop Netanyahu from speaking.'

Although to Palestinian students and their allies, the invitation of Benjamin Netanyahu was a clear provocation, Hillel were completely within their freedom as students to invite whomever they wished onto their university campus. Although the fact is little known, the Concordia Student Union gave up their original booking of H-110 so that Hillel could hold their event, believing in the importance of upholding the student group's rights to organize events on their campus. However, this does not excuse the total lack of safety precautions exercised by the university, nor the insensitivity of having this particular foreign dignitary visit the university when tensions at the school and in Israel-Palestine at the time were so high. The militarization of campus, flanked on all sides by riot cops and RCMP, with snipers on the roof, all to welcome a "war criminal", when Palestinians themselves were denied the right to hold their own rally commemorating their dead because of "security concerns", is not something that people forget easily. These things sting a community when their treatment reflects the dispensability of their lives as portrayed day after day in the same major newspapers put out, coincidentally, by one of the sponsors' of the event, Israel Asper.

## B. COMMUNITY PRESSURE

In fact, the only real reason that could be uncovered for holding the event at the Hall building, despite security warnings, was the spectre of "community

pressure."

The Concordia University Foundation, which invests Concordia's money, is a private corporation. Thus, it is impossible to see where their money comes from, or where they invest it. The public has no way of finding out who the donors are to the university. This is somewhat like a Presidential candidate with undisclosed campaign contributors, their interests become murky and suspicious.

It's not just any community who can exert this pressure. It is a lobby of influential community leaders. Israel Asper has in fact called on Jewish donors to cut their donations to Concordia University if a "crack-down" on Palestinian activism is not imminent. At his November 15 2002 talk at Concordia University, Svend Robinson chided CanWest Global head Israel Asper for "bullying" the administration into submission, citing his Oct. 30 speech in Montreal urging donors to withhold financial support from universities that "fail in their obligation of educational integrity" (Canadian Jewish News, Nov. 21, 2002).

There are allegations that the Rector's Cabinet met with representatives of the Canadian Jewish Congress and the Canada-Israel Committee before the event and that these agents asserted their influence. There was also an article published in the *Globe and Mail* (September 14) that quotes Rabbi Poupko, one of the organizers of the event, saying that the administration offered them Loyola campus to hold the event, but that they refused: "We felt it would be a victory for intimidation," Rabbi Poupko is stated as saying. "You don't cave."

The administration is under no obligation to allow university space to be used by student groups nor outside groups if there is a potential threat to the safety of students. There are also very few speakers who could elicit the kind of response, and who have made such a direct and brutal impact upon the lives of Palestinian students and their families, than former Israeli Prime Minister Benjamin Netanyahu. The university was prepared for violence, whether or not they now feign that it was "unexpected" or "unpredictable." Their own risk assessment, published in Magor's report, stated very clearly the security risks involved. However, since the organizers would not "cave," clearly, the university did.

## 2.6 WHAT WENT WRONG?

### A. MEDIA

Despite numerous accounts of violence or aggression towards demonstrators by ticket-holders, out of a total of 90 articles in corporate media reviewed for this report, there were a total of 0 of these incidents reported. However, there were dozens of incidents reported of violence of the demonstrators. Keeping in mind that one window was broken, and that the movement of furniture, throwing of newspapers, and releasing of fire extinguisher, were all done in self-defence or in response to police brutality and aggression, and that whatever altercations happened between demonstrators and ticket-holders were in the minority of total interactions that happened on that day, all demonstrators were painted with the brush of

violence.

Of the total articles that reported on the demonstration, only one accounted for police brutality against demonstrators.

One ticket holder knew some of the reporters present at the scene on September 9. She said that some of the reporters that she knew are "known instigators". When asked in what way they instigated the crowd, she imitated their antagonism: 'Oh, come on, look! He's got an Israeli flag, look at him, he's got a Palestinian flag, come on, come on, action!' She said, "And as soon as there was a little bit of action, they would follow. They followed me, wanting to know my reaction, which side was I on, and do I hate Palestinians. I

told him to go fly a kite somewhere."

She continued: "The video footage that was shown on TV that night definitely showed violence, but it did not show that there was one part that was not so violent, they did not show the gathering before, [even though] the media came in before the demonstrators."

She admitted about the crowd on Bishop Street: "I would be dishonest if I said they were violent."

Another demonstrator added: "The thing that I found most disturbing was that there was about 200-300 pro-Palestinian supporters at the bottom of Mackay and de Maisonneuve. There were about 25 pro-Israeli supporters half-way up Bishop Street. And all the cameras were talking to the pro-Israeli supporters, not a single camera was talking to pro-Palestinian supporters".

Why weren't the reasons for the protest articulated in the mainstream media? Was it in fact the violence that overshadowed the message? Or was it the fact that sensational coverage sells copy? This profit imperative cruelly drowned out the voices of the hundreds of demonstrators who had a message that day: "end the occupation, our families are being killed back home".

## B. AGENTS PROVOCATEURS

The "guy who nobody knows" appeared on *Global News* coverage of the demonstrations. He is wearing a bandanna, and he is spitting at a person. No one interviewed for this report knew who he was. "He is not affiliated with our events, never comes to any of our information meetings. . ." Protesters have concluded that he is either a rabid anti-Semite using pro-Palestinian events to spew his hatred, or else he's been planted there by anti-Palestinians.

## C. ANTI-SEMITISM

Charles Adler's "Last Word" on Global Television on Monday December 9, 2002, was that Concordia University threatened to become "a crucible of anti-Semitism." Famed Nazi hunter Simon Wiesenthal broke his usual silence on world events with a stunning condemnation of the demonstration that prevented Netanyahu from speaking: "I never thought I would live to see the day when there would be more open expression

of hate against Jews than in the 1930s," he wrote in a letter to Rector Lowy. "Tragically, that is the situation today around the world." Patrick Amar, Concordia student and former president of Hillel, was quoted in the *Globe and Mail*, "I witnessed real violence. For me, it's been a real loss of innocence about the world."

Accounted in newspapers and press releases about September 9, were instances of anti-Semitism against the ticket-holders attempting to enter the Hall building for Netanyahu's talk. There were reports of penny-throwing, physical assault and racial slurs. Ron Singer, director of Public Affairs at the Canadian Jewish Congress, said that ticket-holders were "punched, kicked

and spat on" ( *Ottawa Citizen*, Sept. 27, 2002).

B'nai Brith even called on the Gouvernement du Québec to conduct an official inquiry into the September 9 riot at Concordia University. They cited numerous complaints from Jewish students afraid to go back to school since the protest. Steven Slimovitch told reporters that only a commissioner with the power to subpoena can properly examine the role police, the university administration and student groups played in the event (*Gazette*, Sept. 21, 2002). The CSU strongly supports this call.

## D. SECURITY

One ticket-holder was outraged at the security. She had to walk all the way around the building, from Mackay up along Sherbrooke, then down Bishop to get to the ticket-holder's entrance, then she had to wrestle her way through demonstrators, only to get to the door and find out that she wasn't allowed to bring her purse in. She then had to walk all the way back around the school to put it into her office, and then when she finally walked into the Hall building, and "all the people are yelling and screaming on the escalators that were stopped, you have police officers, Concordia security, so people were contained at the bottom of the escalators, meanwhile, on Bishop Street, I am not allowed a bag, I can't have anything in my pockets, I have to go through a machine to make sure I am not bringing anything, than I have to go through this line and be insulted. There is an irony here."

I attempted to address this irony with Susan Magor, the woman responsible for the report on the health and safety aspects of September 9 and felt that I could not get a straight answer:

(MAGOR): *Well nobody did. Mostly it was questions (nobody had any concerns?) Well sure, as part of the emergency management team our job is to say what could possibly go wrong, and what we should be aware of.*

[Was there any sense that people wanted to cancel the event at this meeting]

It wasn't our call.

[But was there a feeling?]

*I can't recall.*

[Because it seems like you're securing the building at this point, even if you say that no one could predict what was going to happen, laboratories were secured because of highly flammable materials, there seems to be a contradiction in there.]

*No there is no contradiction at all.*

[Because it sounds like you are saying that nobody could have predicted it and yet you were prepared for it.]

*No. I'm not saying nobody could have predicted it. I'm not saying that at all. I'm saying nobody did. Nobody predicted that it would, we didn't think that this would go to this.*

[But you were expecting that it might happen.]

*That's one thing that I can do. That's something that I have control over. Where it went with the researchers and our staff.*

[Among other things that you couldn't do?]

*Well, one thing, for example, was that rethinking the decision was too late by then.*

## **E. INJURIES**

There were repeated reports of police brutality inside the Hall building, concentrated at the bottom of the escalator. One student had fractured two ribs as a result of police beatings. Another suffered serious injury to their finger and had to go to the emergency room. There were reports of sickness, vomiting, dizziness and coughing fits as a result of the pepperspray. (For a more thorough toxicology report than Magor provided, see Appendix O). Immediate relief to the pepperspray was provided by one student who went directly up to the People's Potato kitchen, filled a bucket with a solution of apple-cider vinegar and water, grabbed cloths, and brought it down to the demonstration where people could use it to rinse their eyes and faces, relieving them of the sting and pain of the toxic spray.

## **2.7 BREAKING CODE**

There are several Concordia codes that were broken on September 9. And while the popular conception is that the demonstrators were the ones who violated them, Sue Magor's report indicates strongly that infractions were also committed by university administrators. Below is a short list comparing Magor's observations of September 9, as well as some of the experiences of students in dealing with the administration,

to the internal laws of the school.

**A. Magor:** "On the basis of this risk assessment, the Director of Security initially advised the Administration to consider an alternative location for the event." (p.5)

- *Environmental Health and Safety:*

*Every employee and student is entitled to a safe environment to work and study. Concordia University will exert every effort to protect the health, safety and well-being of its students, employees and visiting public.*

**B. Magor:** "Risk assessment and decision-making was focused on the protection of the speaker and avoidance of violence but did not include wider impact on the Concordia community and its operations and the effect on its students and staff. In hindsight, the decision to keep the Hall building open and carry on business as usual was impractical." (Emergency Management Team Debriefing, Appendix B)

- *Concordia University Code of Ethics: Safety*

*The University has an obligation to provide safe conditions for the work of its members. It must take effective steps to prevent unreasonable disruptions of the work place.*

- *Concordia University Code of Ethics: Integrity in University Governance*

*It is the responsibility of the Board to ensure that the mechanisms of accountability are in place. Senior administrators assume broad administrative responsibilities. They are expected to establish and maintain open and transparent systems of operation, accessible and intelligible to all those whom they direct and manage. They should keep the University community fully informed about the nature of issues that affect the University and invite members of the University to participate in the solution of such issues. It is expected that the reasons for final decisions on university-wide issues will be communicated in a written report to the University community.*

**C. Re: The denial of a first risk assessment.**

- *Concordia University Code of Ethics: Accountability*

*In a collegial organization, the Administration, as well as the Board of Governors, is accountable to the University community. This requires that budgeting and administrative decision-making must be consultative and transparent processes.*

The erosion of the commitment that the founders of Concordia University made, to have "a body corporate and a politic without capital stock and without pecuniary gain," can be traced back to Mulroney's government of the late 1980s. Since the rise of neo-liberal globalization, and the signing of the Free Trade Agreement in 1989 (FTA), there has been a reduction of public funding for universities. Since 1994, over \$3 billion has been cut from

## IMAGES FROM SEPTEMBER 9<sup>TH</sup>, 2002

all photos: Kevin Walsh



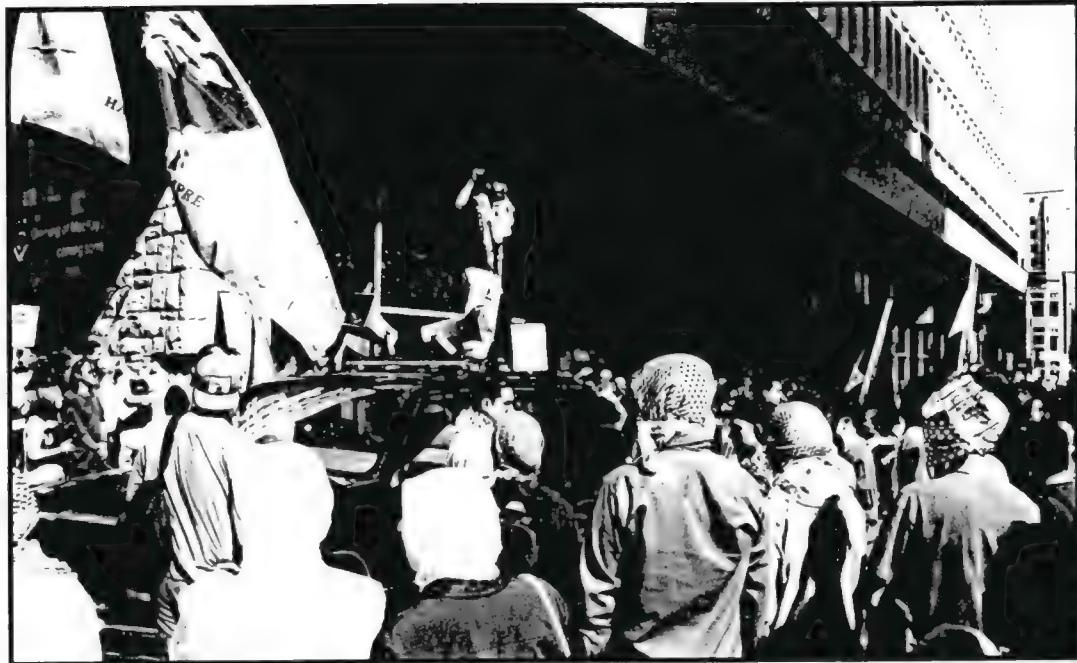
Two sides of the fence: pro-Palestinian (l) and pro-Israel (r) supporters rally on the street.



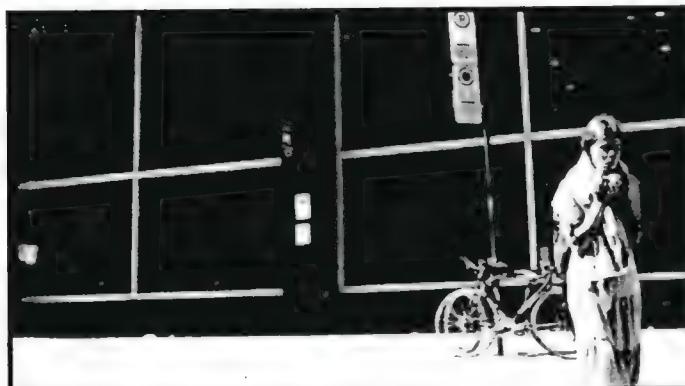
Bishop and de Maisonneuve: Flag-waving protesters denounce Netanyahu's visit to Concordia.



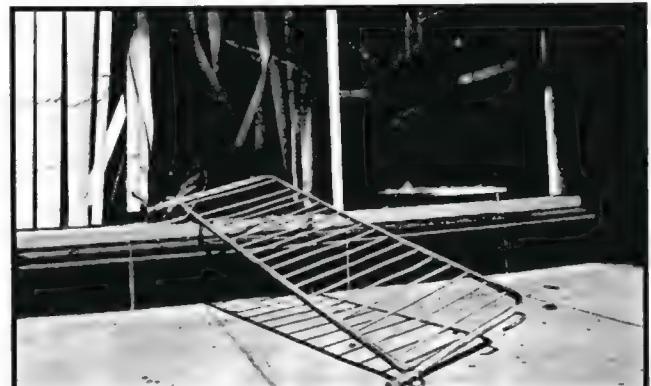
Pro-Palestinian demonstrator.



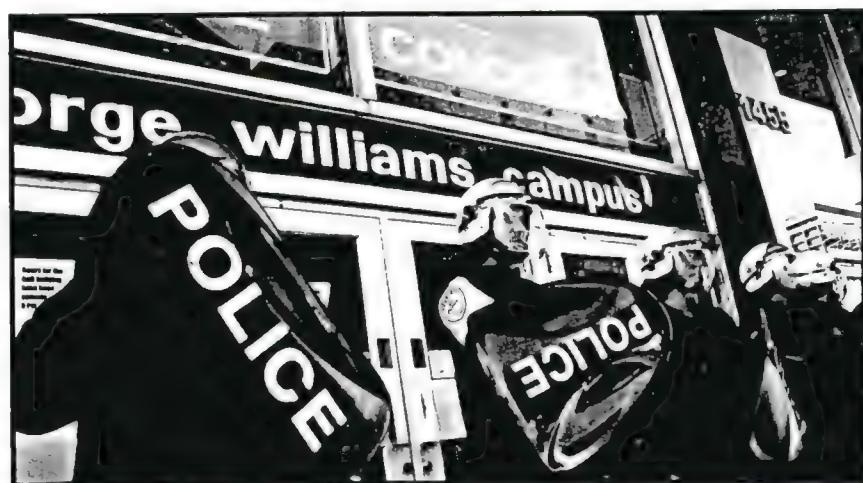
Protester speaks to the crowd of Netanyahu's war crimes and the need to shut him down non-violently.



A protester staggers away from the Hall building after being pepper-sprayed.



The smashed window of Concordia's security office.



Standing on guard: Montreal police block off the Hall building.

# PART 3

# SELLING STUDENTS OUT:

## RACISM & THE PRIVATIZATION OF EDUCATION

*"Donors and alumni are saying, 'If you don't get things in order, we're pulling our funding,' said Marcel Dupuis, the university's director of corporate and foundation giving. "It's understandable." While Dupuis wouldn't discuss whom the threats were coming from, those close to the issue – who spoke to The Gazette this week on the condition of anonymity – said it's a delicate situation. The message coming from Jewish donors, they said, is this: "We're not supporting Gaza U."*

-- Sue Montgomery, Montreal Gazette, September 26, 2002

*That it is expedient and in the public interest and in the interest of those who are following the various courses of instruction at the said institution that the same be constituted a body corporate and politic without capital stock and without pecuniary gain in order that the educational work which it is doing may be carried on more effectively and advantageously*

-- Concordia Charter, Act of Incorporation, 1973

the federal cash transfers to the provinces for post-secondary education. At Concordia, in the 1994-1995 academic year, the operating budget was \$168 million; in 1995-1996 expenses were cut a further \$11.5 million; in 1997-1998, a further \$15 million was cut. The missing money has had to come from corporate donors, partnerships and private donors, whose involvement with the university undermines the very independence the university requires to foster free thought and a commercial-free environment for its students.

Advertising in bathroom stalls, corporate-sponsored programs, exclusivity contracts, subcontracting courses to private corporations, large, bright back-lit ads on every floor, off-loading expenses onto departments by removing services once provided for the whole university community, renting school space out to businesses, investing in mutual funds and stocks (playing the stock market), and staffing the top decision-making bodies with CEOs of corporations, who can contribute financially and fundraise for the university - these are all ways that Concordia compensates for its lack of funding. After September 9, when money allocated to the university fell off sharply (see Appendix P), the university was faced with a funding dilemma: investors were getting nervous and pulling out.

In order to restore Concordia's good name - or "brand name" - the Concordia administration had to make the appearance of "getting things in order," as Marcel Dupuis is quoted as saying above. This is not, however, without its costs to students. As David Noble, historian and professor at York University, writes: "The commercial transformation of the universities has affected not only their institutional practices but also, as York sociologist Janice Newson has pointed out, their 'self-representations', their self-image, which has become nearly indistinguishable from that of a private firm." When the *telos* of a public institution becomes indistinguishable from the *telos* of a PR firm, a fundamental shift occurs in the nature of the post-secondary institution. For public

relations' firms have no ethical imperative; their aim is the business of creating illusion and deception. Concordia University recently even hired one as part of their post-September 9 Action Plan, in effect, sending students the message, you don't have to think so good, so long as you look so good.

With the market imperative, race becomes a strategic marketing tool in the university's belt, as will be shown with examples provided below. What's good for Concordia's image is what's good for corporate Canada. In regards to pro-Palestinian activism on campus, this type of activity is not seen as being very good for Concordia's image. As Palestinian activist Samer Elat rash put it: "When you have a school that is consistently tied to Palestinian activism, Arab activism... it's a bad investment, a bad 'brand'... you're not associating technological sophistication with the university, you are associating a politically active campus with a volatile history between student groups, or between student groups and the administration."

There is also a conflation between racial and political issues on campus: "Palestinian activism is never mentioned on its own," Elat rash continues. "It's always mentioned in association with leftist activism on campus, which doesn't only present a threat to an anti-Palestinian status-quo, but also presents a threat to a corporate status quo on campus. And that is why you have corporate CEOs sitting on the Board of Governors who are completely opposed to SPHR." David Bernans, CSU Researcher, also refutes the assumption that the Jewish donors are the only ones pulling in the financial reigns. In a letter to the Gazette (September 28): "It is not a question of 'Jewish money' avoiding 'Gaza U'. Many of Concordia's donors and corporate partners are tied in various ways to international conflicts and human rights abuses that have been the object of Concordia-based student movements."

The hidden relationships between these different forms of discrimination are not quite so hidden when one considers the food chain of the universities' survival

imperatives. When the university has to make itself attractive to capital, it must sacrifice its students' freedom to dissent. Since these students are agitating for social-justice causes in solidarity with marginalized groups in society, and these marginalized groups are often communities of colour, the repression can be seen as indirectly racist.

This has polarized not only the active students on campus and the administration, but it has also pitted students against students. Many students feel like they are under attack when corporations are under attack because they are counting on these corporations for employment when they graduate. When funding is pulled because of conflict on campus, they may also feel that these activists are jeopardizing their futures. Many students want to secure good job placements and appreciate the benefits of corporate partnerships with their university.

This polarization is unfortunate because fully funded programs in all faculties would benefit students equally. The common fight is against the government for cutting monies to post-secondary education. But also against an administration that refuses to stand up in defence of students' rights to an affordable education with no strings attached.

Outlined below are several aspects of how racism is interwoven into the practices, customs and policies of an increasingly commercial university.

### 3.1 ADVERTISING RACE

#### A. RECRUITMENT

A case in point for how race is being used strategically by Concordia University can be seen in the difference of how the school "image" is packaged for students and donors. The recruitment brochure for students, as can be seen in Appendix P, is illustrated almost entirely with students of visible minorities. However, the recruitment brochure for donors, called "Planned Giving," contains images exclusively of students with white skin, dressed in fashionable, well-tailored clothing.

#### B. ADVERTISING

The same strategy of race is in operation for Concordia University's bus ad campaign. Concordia student Diegal Leger was offended by the depiction of the black man, Ricky Martin, in Concordia University bus ads. Martin is a burly football player, sitting on a football looking tough. Diegal says the ad offended many black students. He believes that these kinds of stereotypes are no mistake; a lot of money goes into these ads, and they are carefully thought out: "There is a specific reason, a specific message, a specific target audience intended." To this, he replies: "We don't want to be typecast on the stage of life." He says, "Getting a real education is about training

the next thinkers, the next decision-makers, it's not about institutionalized racism and the promotion of stereotyped images of the athletic black man."

In case you thought that this was just a case of accidental typecasting, Manon Tremblay, Director of the Centre for Native Education, blows any pleas of ignorance clear out of the water. Photographers who "asked us specifically for people who looked Aboriginal" approached her to find students to pose for the ads. "This was a bit, well, of an insult to us, exactly what looks Aboriginal to the non-Aboriginal person? Does this person have to have black hair and wear it in two braids and wear feathers in their hair? Is that what they were asking for? We weren't

too happy with this at all. At first, we

ignored it... and then after that we sent them students who do not necessarily look Aboriginal." Perhaps not surprisingly, these pictures never made it into the brochure.

According to Wendy Kraus-Heitmann's article in the *Link* (February 11, 2003), "Some Asian students aren't particularly thrilled, either. Despite having a sizable population of students of Asian descent in various programs, according to Concordia recruitment materials they all study exclusively in scientific fields, save a sole female dance major."

### 3.2 FUNDING AND ACTIVISM

Isn't it a bit odd that we never hear the leaders of our presumably public post-secondary institutions defending them against commercial influence or otherwise extolling the virtues of public higher education?

-- David Noble, York University, professor of history

Neil Tudiver of the Canadian Association of University Teachers (CAUT) has noted that "university boards and presidents seem unwilling to defend the independence of their institutions." Instead, they defend the interests of their donors. Concordia examples abound, including the moratorium on discussing the Israel/Palestine issue imposed on students, and privatization of university space. The moratorium and space issues are discussed below, but first, we turn to the context and history of the student movement at Concordia. This history is critical to understanding why activism has posed such a threat to the "stability" of the university.

As Yves Engler points out in a *Briarpatch* (Dec/Jan 01-02) article, from 1999 to 2002 Concordia students have elected slates of anti-capitalist representatives. As Engler writes: "During this period the political left has been extremely successful on campus, winning a freeze on tuition fees, kicking out Zoom media advertisements, setting up a highly popular free vegan lunch program and highlighting the role of corporations at our university and their connection to atrocities in the

## With the market imperative, race becomes a strategic marketing tool in the university's belt.

world."

According to Engler, the backlash that this activism has received includes three main incidents. The first is the expulsion of two outspoken activists with no due process whatsoever. They were later reinstated when the administration's attempts to deny them a fair trial could no longer be sustained (see section 1.2C). The second backlash happened when the CSU organized a General Assembly that called to pass a motion to ban BCE, Nortel and Bell Helicopters Textron Canada (BHTC) from campus. These companies are accused of profiting from para-military death-squad hits on Columbian union activists, as well as from Plan Columbia. As Engler writes: "In response to this motion, the Dean of Engineering and Computer Science mobilized students in these faculties to vote down the motion." Part of Dean Esmail's tactics were to directly lie to his faculty and students in stating that members of the CSU executive had informed these companies that they were not welcome at an upcoming job fair on campus.

The third incident of backlash that Engler cites is the way that Rector Lowy fuelled controversy over the motion that the Concordia student body passed in November 2000, calling on the Canadian government to pressure Israel to adhere to UN Resolution 242. He was quoted in the *Suburban* saying: "But it is a pity that there is a small group of Middle Eastern students who want to bring their quarrels over here!"

Since the realities of the Middle East are constitutive of Palestinian and Zionist identities, there is very little chance that these aspects will be soon forgotten. It is perhaps the Rector who has forgotten about the mission statement of Concordia University:

*Concordia is an urban university which is responsive to the needs of a diverse student population as well as to the bilingual and multicultural environment in which it resides. It is a welcoming community where values of equality, non-discrimination and tolerance of diversity are appreciated and actively promoted.*

Rector Lowy wasn't feeling the spirit of this multicultural mission, either, when he told University Affairs in March of 2002 that CSU leaders had a "left-wing, anarchistic agenda that supports the Palestinian position in the Arab-Israeli conflict," whose goal was to "destabilize" the university.

The real instability, however, is not created by the consumers, but by the inflationary rates of the speculative currency, in this case, called "education."

Below are more perspicuous examples of the backlash to activism on campus, beginning with the fall-out of September 9, and then proceeding through various other aspects of privatization on campus and its role in institutionalizing racism.

### 3.3 POST SEPTEMBER 9

*The policy entitled Treatment of Student Disciplinary Matters in Exceptional Cases (TSDMEC) as well as the moratorium dealing with freedom of speech on campus*

*are clear examples of how the administration has failed to properly deal with problems that might arise at Concordia. Their resolutions resemble those of a correctional system than ones that should be expected from an educational institution. They are reactionary pieces of regulation politically driven to control discussion and debate around issues rooted in the Middle East. No such regulation was enacted when Concordia students participated in protests with regard to globalization, the WTO, World Bank, IMF, or tuition increases.*

**-- Resignation letter of Jean March Bouchard, former Concordia Student Affairs advocate**

Three repercussions were issued after September 9. The first was that there would be a moratorium on the discussion, organization and posterizing about Middle East issues. The second was that there would be a new clause amended to the Code of Rights and Responsibilities - essentially, a "fast track authority" for a small group of senior administrators to implement decisions - and thirdly, a ban on tabling on the mezzanine, one of the most active and vital areas of Concordia student life. This backlash is classified in the privatization section because these stunts that the university tried to pull off as conflict resolution efforts were essentially glorified PR moves.

#### A. MORATORIUM

On the Monday following the demonstration, Rector Lowy announced a "stop-gag" on Middle-East related activities, including public speeches, rallies, exhibits and information tables. Marcel Danis, Vice Rector institutional relations, told *Gazette* reporter Sue Montgomery that many donors were pleased with the three-month ban. However, not everyone was pleased. Montgomery sums up the sentiment well when she writes: "The so-called cooling off period undermines the very purpose of a university to foster diversity of opinion." (Sept. 19, 2002)

An interesting debate emerged in the newspapers about whether the moratorium was a reasonable tactic to ease tensions on Concordia campus. It was part of a larger debate about whether Netanyahu should have been invited to Concordia in the first place, and whether demonstrators had a right to shut him down. These debates drew to the surface the underlying tensions and conflicts of living in a diverse society. Jingoism, racism, tolerance and understanding, were all represented in the hundred or so articles reviewed for this report.

Benjamin Netanyahu gets the cake for the most ostentatiously offensive invective hurled at the demonstrators. In a statement to the press moments after learning that his talk was cancelled, a "visibly tense" Netanyahu told reporters: "[It's] mad zealotry run amok. They're supporting Saddam Hussein, they're supporting [Yasser] Arafat, they're supporting [Osama] bin Laden" (The Telegram, Sept. 10, 2002). This statement was then remarkably overshadowed by Israel Asper's own

comments, comparing protesters to Hitler's Brownshirts and Nazi thugs. These men epitomize the most extreme racist dismissals of the protesters, unsurprisingly, given their profiles.

However, many people wrote into newspapers, supporting to some extent these men's intolerance toward Arab and Muslims. A letter written to the *Ottawa Citizen* (Sept. 13) reads: "These demonstrators are obviously intent on converting Canada into a hell-hole such as the Middle East has become... The punishment [against demonstrators] should include their expulsion from the university and if they are foreign students, cancellation of their student visas and deportation from Canada." Distant echoes of public reaction to the Computer Centre occupation are easily detected in these words.

Another completely unfounded fear-mongering piece of print showed up in the *Ottawa Citizen* on September 29, 2002. The writer pens that, "The same [Palestinians] who were on the streets after the 9/11 attacks on New York and Washington to dance and celebrate this 'Muslim victory' – [were in] in Montreal, as well as on the streets of Gaza, back home." The editorial continues with charges that the Palestinians are "infiltrating" campuses in Canada and these Solidarity for Palestinian Human Rights (SPHR) groups are the recipients of murky funding from unknown sources.

On the other end, three professors of emeritus position at Concordia University wrote into various newspapers to express their disappointments in the Concordia administration for allowing Netanyahu to come. Another professor, still teaching at Concordia, called Hillel's timing "terrible" for bringing Netanyahu to speak at the beginning of the new school year. He continued: "Had Netanyahu been invited as part of a lecture-dialogue series co-sponsored by Jewish and Palestinian groups – a series featuring a broad range of Israeli and Palestinian speakers – the whole context of the event would have been changed. Tensions would have been defused and the university would have fulfilled an important part of its educational mission" (*Montreal Gazette*, Sept. 24, 2002).

Leo Panitch, a political economist at Toronto's York University, criticized organizers for hiding beneath the banner of free speech: "There are times when people, under the label of free speech, engage in provocation," Panitch told the *Global Sunday* newsmagazine.

Other concerned citizens wrote letters to the newspapers informing the public of Netanyahu's record in Israel. Freda Guttman and Fabienne Presentey from Jewish Alliance Against the Occupation sent a letter to the *Montreal Gazette* detailing some of the war crimes of Netanyahu and then went on to criticize the newspaper for leaving details such as these out from their coverage of the demonstration against the man. They wrote that, "As Jews who support a just peace in the Middle East, we are disconcerted by the *Gazette's* failure to address the issues

behind last week's protest."

While the moratorium was never anything more than a way for the university to look like they were doing something about the tensions that they had helped escalate on campus for so long, it was in fact a red herring. Nothing came out of the "tension easing" period at all, except for maybe more frustration from students against an increasingly incompetent administration.

## B. TSDMEC: TREATMENT OF STUDENT DISCIPLINARY MATTERS IN EXCEPTIONAL CASES

One could hardly put the matter more clearly than Jean-Marc Bouchard, an experienced student advocate,

when trying to explain the problems with the TSDMEC:

*Before the adoption of the TSDMEC; the Code of Rights and Responsibilities was the governing regulation in relation to behavioural offenses committed within the University's borders and its jurisdictions included ALL members of the Concordia community. The prohibited acts found in the newly adopted TSDMEC are identical to all prohibited acts found in the Code of Rights and Responsibilities with the exception of one Article 5 paragraph (f) defines Other Acts as "such other acts of a serious nature that prevent members of the University from pursuing their work and studies in a safe environment." I assume that this article was created to curtail future protests and demonstrations. There are some very practical concerns surrounding this broadly defined article. Such as, are all protests prohibited? Who decides what issues are valid to protest and those that are not? What is deemed as violent or of a serious nature?...*

*As a former Student Advocate, I have become intimately aware of the rules, regulations policies, and procedures that govern our university community. I am at a loss to understand the logic used by the administration to create the TSDMEC, when a policy motivated by less irrational reactionary forces, and more practical concerns, already exists. Articles 72 through 85 in the present Code of Rights and Responsibilities define the "urgent measures" that the University may take in "urgent situation(s) involving threatening or violent conduct." Why is there a separate piece of legislation that gives jurisdiction to a limited number of individuals to exercise arbitrary authority over only students whom they determine to be threatening or violent?*

*The jurisdiction of the TSDMEC is solely directed towards students. . . The TSDMEC also denies a student the right to representation at the review process (Article 16) and creates an Appeals Committee (13), whose members are yet to be defined. Will students have standing on such a committee? Perhaps the most frightening aspect of this regulation is the denial to students of their fundamental right contained in the Charter of Rights and Freedoms, the*

*right to be innocent until proven guilty. The word alleged does not appear anywhere in the TSDMEC. The document does not reflect the rules of natural justice. (See Appendix Q for the full letter.)*

### **C. THE MEZZANINE**

The Board of Governors' decision to ban all student clubs from tabling and holding other activities was a particularly curious one. Why ban student tabling? What does tabling have to do with September 9? Perhaps they recognized that whoever controls the mezzanine, controls student life, to a large extent. The mezzanine has the highest circulation of people throughout the entire Hall building. It is one of the only places where students can organize and promote their groups and their ideas. As described in section 1, the struggle over who controls this space has been going on for years. By banning tabling in the mezzanine, the university authorities could acclimatize students to the absence of the space, and slowly, but surely take it away altogether.

Designs to privatize the mezzanine fulfil two purposes. The administration could kill two birds with one stone, so to speak, by renting the space out to businesses: they could make money, and win control over the mobilizing area of student activism. This is not simply paranoia, either. The CSU executive had a meeting with Patricia Posius, administrator for the department of Vice Rector Affairs, in August, 2002, to discuss Chartwells, the new corporate cafeteria that was to replace Marriott as food service provider. Posius was negotiating their contract and the CSU executive was requesting an opt-out option for the meal-plan for people in residency. Posius confirmed that this would be made possible. They were also negotiating for new benefits, such as reduced rates for students for on-site catering.

During the meeting, in passing, Posius mentioned the new international cafeteria that was going to be built on the mezzanine. She seemed to be under the impression that the CSU knew about it. She said that it was part of the new contract with Chartwells.

The CSU played along like they'd heard this plan before, but after the meeting, they met and wrote letters to Michael di Grappa, Vice Rector Services, demanding to know what was going on.

Di Grappa replied that it was part of a deal that the administration had made with the CSU; the CSU would get the entire 7th floor, while the administration would take the mezzanine. This, the CSU replied, was a complete lie. This "exchange" plan had never been mentioned in any of the meetings they had had with the administration to discuss the possibility of setting up a student-run cafeteria on the 7th floor. Their deal would have been to get the whole 7th floor, including all kitchen space, the entire seating area, and a few other spaces, plus \$100,000 to renovate.

The reason that Chartwells is not using the 7th floor is because Marriott had been losing money there. Chartwells did a "task force" review on the space and realized that it wasn't worth their time. Ideal for them

would be the mezzanine, with its high volume of traffic and high visibility. Unfortunately, there's no way of knowing what the contact details are between the university and Chartwells because they are considered private. Why such a document would be considered private, at a publicly funded institution is unclear. What advantage could be gained by protecting this information?

Regarding the ban on tabling, Sabine Friesinger, President of the CSU, agrees that it was meant to acclimatize students to its disuse: "The administration has a much longer memory than we do. We only think and organize for the short term. We're here for our degrees and then we leave."

- ***The arrest of Yves Engler***

The authoritarian nature of the moratorium was perhaps best illustrated on October 16th, 2002, when CSU VP Communications Yves Engler was arrested in the Concordia Hall building. His offense? Engler had been handing out flyers at a table on the Mezzanine, promoting the upcoming day of student action against the Free Trade Agreement of the Americas (FTAA), on October 31. Granted, Engler's action was a violation of the moratorium on the Mezzanine, but the university administration presumably found the infraction so injurious that they called in a convoy of 20 police vehicles to take him away. After leading him out of the Hall building in handcuffs, the police promptly dropped him off a block away and told him not to do it again.

The draconian and disproportionate measure brought a great deal of embarrassment to the university administration, the criticism so obvious and widespread that it merits no further comment here.

### **D. THE UNIVERSITY TRIALS**

On the videotapes of the escalator "sit-in" on September 9, those faces that are not wrapped in kefias are easily distinguishable and recognizable. However, only nine students were charged for their participation that day in the escalator occupation. Seven more were charged, but were not students.

Most students were charged under articles 16 and 18 of the Code of Rights and Responsibilities, which pertain to, respectively, harassment and threatening or violent conduct.

Why were these nine particular students charged? Leila Mouammar, who was one of protesters charged under the Code of Rights and Responsibilities, has an idea:

"Bias. It is those who are vocal critics of the administration, or vocal critics of the capitalist system, or vocal critics of American imperialism, and they are picked out of this crew of 150 people on the mezzanine. Supposedly they are the only ones that they can identify, but I can identify at least 20 other people on that tape, and I've only been here for a semester. I don't know what kind of intelligence they are using to identify people."

Mouammar is not alone in accusing the Concordia administration of bias. The Arab Canadian Civil Liberties

Association sent a letter to Director of the Board of Governors, Danielle Tessier, condemning the administration on account of the planned expulsion of students; attack on free speech; and discrimination against Arab and Muslim students (see Appendix R). The defendants themselves put together a video montage that clears them of their charges, but that did not lead to the acquittal of charges. This video footage is available for viewing at the CSU archives office.

The trials themselves were just as much of a mockery as the process by which these defendants were picked. Rife with controversy, judges came forward after adjudicating trials stating that they were coerced into their decisions by Peter Côté, Advisor for the Office of Rights and Responsibilities. Students claimed the "campus mediator" interfered with the students' deliberations. One panelist, Stephan Herman, spoke out at a press conference following the trials, saying that students

were steered by Côté toward stricter sentencing, such as expulsion. Stephan said that "he proposed imposing community service or a partial suspension but the advisor, Peter Côté, repeatedly told him those options weren't enforceable."

The university trials are composed of a jury of three students, pulled from a pool of graduate and undergraduate students. Two years ago the university stopped training adjudicators. A former employee of the Concordia Office for Advocacy and Support Services, Jean-Marc Bouchard alleges that this lack of training has "led to decisions being rendered based more upon personal opinion than upon evidence and objective reasoning" (*The Concordian*, Jan. 15, 2003). Bouchard continued: "To put a student in a position where the future of his or her academic career is being decided by individuals with no experience or training... is unfair to the student and could possibly open up the university to legal action."

Bouchard continues: "The courts granted universities the right to handle these issues internally. But that's on the condition that these are fair trials." A fair trial to Jean-Marc means having well-trained adjudicators, otherwise, "We are not yet at a point where there is a possibility of systemic discrimination, but if things are not fixed that's what will happen."

One person who spoke to Tim McSorely, news editor of the *Concordian*, on the condition of anonymity said that his training consisted of being handed a book. "I did not feel prepared when I went in."

In addition to these institutional problems with the trials, there were curious double standards applied to defendants on two separate occasions. The first case concerned the removal of a biased judge from Yves Engler's trial. Seana Miller had gone on the record denouncing the protesters of September 9, therefore Engler rightfully argued to have her removed from his trial for being biased. But whereas Engler's request was

granted, fellow charged-protester Samer Elattrash's identical request was denied. Out of frustration, Elattrash walked out of his hearing. In his absence, he was expelled for three years. Granted, Engler had Miller removed before the day of the trial and Elattrash tried to have her removed during the trial for her bias. Why the difference in treatment? Is it Elattrash's high profile at the university as an organizer and activist? Is it the fact that he is Palestinian, while Engler is white?

Zev Tiefenbach, another person charged under the Code, is actually not a registered student at Concordia University. Since he is not a student, he shouldn't have been charged under the Code, but rather banned from campus, as per what happened to other non-students who were identified as creating an "intimidating and hostile atmosphere." Tiefenbach reports:

*"What I found really, really interesting about my charges however, is that I haven't been registered at this university for*

*about a year and a half now as a student. . . but I have been declared a student. Other people like Jaggi Singh [social justice activist and non-student] or a fellow named Chadi Serhal [his story is told below], have been banned from campus for five years because they participated in September 9. I admittedly participated in September 9, I am not a student, and yet the university is bringing me through a hearing panel that other people aren't entitled to. So first off, I find that very strange. I find it strange as a point of contrast to myself who wasn't a student can go through the process, and someone who was registered as a student at the time of the demonstration is not being treated as a student and does not have access to due process."*

The charged student in question is Chadi Serhal. Serhal was charged with breaking articles 16 and 18 of the Code. He says he can't imagine why they're targeting him. "The only thing I did regarding these accusations, was when I came off the escalators, I was one of the last ones, because my left shoe came off and I was trying to put it back on, but I was hopping on one foot. I found the other people pushing a chair at the escalators, it was coming at me, so I threw it right back and we were preceded by cops... I helped it slide about 50 centimetres, that was all I did, but I don't think that's what they were accusing me of. I think they were just throwing accusations." Since Serhal was not allowed to register as a student at Concordia, his student visa was put in jeopardy. His letter did not arrive in the mail until after he had returned from a trip to the United Arab Emirates in November. By then, it was too late to be contested. He had been de-registered from his class by the university, and therefore was not eligible for a university trial and the appeal process.

The case of another non-student, social justice activist Jaggi Singh, is also worth mentioning. On January 20th, hours after delivering a speech at a pro-Palestinian rally (see section 3.3E, below) outside the Hall building,

### **Internal hearings against Sept. 9th student protesters were marred with highly questionable double standards.**

Singh was arrested in the CSU offices.

Four months after September 9th, two Concordia security guards were now alleging that Singh assaulted them on that day. Singh, who had recently made headlines for his refusal to obey an Israeli court order that barred him from the Occupied Territories, was released on the condition that he stay off Concordia property for five years. The condition had been a request of the Concordia University administration.

Leila Mouammar is appealing her charges, even though she got a relatively minor sentence of community service. She says, *"It's not that I take issue with doing community service, I take issue for getting convicted for protesting. That is a precedent that if it's set in a university, it's going to be shit in the day to come. We are entering a time where mobilizations are going to be more frequent and this is designed to marginalize and criminalize students who get involved in that activity in the university system. And that's really the only venue left, is university, you can't go and protest in the news, cause they won't publish my editorials. You can't protest in the streets, cause you risk getting beaten by cops. And now in your university, you risk getting beaten by cops. In Europe you're not allowed to enter a university campus if you're a police officer, it is a police-free zone. And that's the way it should be in schools as well. Unless there is serious assault. There should be no reason for cops to enter university grounds. Never. Their mere presence escalates the tension, always."*

And so, students' university academic careers, as well in some cases, their status in Canada, have been jeopardized by the hand-picking of demonstrators to stand trial, and the arbitrary expulsion of others. These are the scapegoats of the administration.

#### E. CRACKDOWN ON SPHR

Since September 9, Solidarity for Palestinian Human Rights (SPHR) has found it impossible to book H-110. When SPHR wanted to have a documentary film screening, Nour Eltibi, Secretary General of SPHR, says that they weren't allowed to book space. She says they had to go to another group to book H-110 to enable them to go ahead with the event. The other group had no trouble booking the space. The grounds on which SPHR was refused was a lack of availability.

SPHR also had trouble booking the mezzanine for exhibits. Nour explains the frustrating process:

*We were told that we had to fill out an application form. . . and we did, and then we were told by the administration that it was taken on that day, 'You have to re-apply.' And then we asked for the available days so we could just apply for the available days. And they said, 'No, we are not going to give you the list of available days, just re-apply.' They are just trying to use every way possible to drain our energy. It takes so much effort to do our normal activities, we have to fight the administration just to get our basic rights, even when we are trying to get space for exhibitions. Then, they are like, no, we are not going*

*to give you three different days, we are just going to give you one, because we offer equal space to all student groups. But the fact remains that there are groups that are more active than others on campus, you can't just tell us that we can't have space for an event in case somebody wants to have an event. It's not like there are two groups interested in the space, and you say, well, you have had your space, and we are going to give them a chance. But there are lots of issues always popping up, discrimination, constant discrimination on campus. . . the whole system is corrupt.*

Samer Elattrash of SPHR responds to what he sees as targeted harassment: "You see, the language that the university speaks is the language of funding, economic clout, and we [Arabs] simply do not have the economic clout that would make them consider our sensitivities."

Almost two months after the moratorium on Israel-Palestine events at Concordia had been lifted (it was imposed after the protest on September 9 against Netanyahu), SPHR planned a demonstration to protest the first day of internal university trials taking place against students charged for the Sept. 9 protests. Denouncing what SPHR called the "criminalization of Palestinian solidarity at Concordia", the January 20 event was to take place in the Hall building and feature Sept. 9 video footage showing police beating protesters on the escalators.

But the Friday afternoon before the demo was to take place, the group received a letter from the administration's attorney informing them that "you are not allowed to protest on the University's premises," threatening legal action and expulsion "against your organization, the members of your executive as well as the protesters without further notice" if they were to disobey.

The rally was thus held outdoors in the freezing cold. The threat of expulsion and legal action against the group reinforced the message that Palestinians were trying to get out at their demo: being in solidarity for Palestinian human rights has been criminalized at Concordia. Why could they not pronounce this indoors?

#### • *Nidal Aloul*

On March 11, 2003, Concordia commerce student and SPHR Vice president Nidal Aloul was arrested for allegedly uttering death threats to Shlomo Lifshitz, a non-Concordia student who was hanging around a Hillel information table in the Hall Building. The two had exchanged insults, but all witnesses agree that there was no hint of a possible physical confrontation between them. At one point, Aloul told Lifshitz that "I'll be famous in two years and you'll still be selling falafel." Lifshitz apparently interpreted that for Aloul to become famous, as a Palestinian from Nablus, he would have to resort to suicide bombing. As such, Lifshitz complained to Concordia security that he had been threatened with a bomb. The police were called onto the scene, and Aloul was detained, interrogated and thoroughly searched for approximately two hours before being released.

That evening, after returning downtown from a class on the Loyola campus, Aloul was called over to Concordia Security. According to Aloul, the security agents said to him: "We need to talk to you about your complaint". I asked, 'Are the police going to be there?' Security said 'absolutely not.' But the police were there, and Aloul was handcuffed and held overnight in prison.

By the time Aloul appeared in court the next morning to hear the charges against him, the case against him had changed. The complainant was no longer Shlomo Lifshitz, but Real Fourmier, a Concordia security guard, as well as Concordia students and Rachel Guy, Sean Zeligoman and Elliot Milion, Concordia students. Witnesses say none of the four were near the Hillel table while the initial argument took place. Aloul faced one count of uttering death threats to each of the four new complainants.

The lengths to which Concordia security and Montreal police went to accost Aloul, based solely on the complaint of one non-student, while not consulting with Aloul nor several other witnesses that were present to the alleged "death threat", illustrates the general attitude to Palestinians on campus by the university's security.

The bias is all the more shameful when we compare Aloul's case with that of fellow Palestinians' attempts to have security deal with alleged assaults against them.

To cite one simple case, Palestinian activist Samer Elattrash was assaulted in plain view on November 15, 2002, in the lobby of the Hall building. The assault was captured on video, and was aired on a CBC newscast later that night. It also took place in plain view of a Concordia security agent. When Elattrash asked the agent whether he was going to do anything about, the agent simply brushed him off and refused.

### 3.4 THE PRIVATIZATION OF UNIVERSITY SPACE

#### A. CORPORATE SPONSORED EDUCATION AND RESEARCH (*researched by David Bernans*)

*The International Institute of Telecommunications (IIT):* This facility is the initiative of 15 multinational corporations. Its curriculum reflects the interests of its corporate partners, who put up 60% of the project's \$12 million start-up costs. Dean of Engineering and Computer Science, Nabil Esmail has proudly stated that the curriculum was "negotiated" with these private interests.

*BioChem Pharma Genomic Laboratory:* This laboratory exists because of a \$1 million donation by BioChem Pharma for its creation. BioChem Pharma CEO and former Concordia Board of Governors' member made clear in the letter accompanying his company's initial contribution that if "our scientific team can collaborate and have access to such research" then "we would increase our contribution for another million dollars." BioChem's research is thus subsidized by the Canadian government, as well as profiting the corporation that can patent and

profit off the findings of hard-working Concordia students.

*Concordia Institute of Aerospace Design and Innovation:* Pratt & Whitney provided the \$1.2 million start-up costs for this program. Far from being an ethical mentor in aerospace design, Pratt & Whitney supplied the Indonesian government with helicopter engines during its genocidal occupation of East Timor that killed one third of the island's 750,000 residents. The company also recently won contracts to make Israeli F-16 engines.

#### B. CONCORDIA'S MEDIA LABS

(*researched by Sara Dent, see "Thieves in the Temple," Surprising CSU 2002-2003 Agenda for full article*)

From its inception and following development under the helm of Helen Bambic-Workman (1979-1995), the Media Labs "supported students from all faculties, programs and departments, acting both as direct support as well as relief support, filling in the gaps between access to resources technology and training that students encounter across campus." Students in programs with limited resources or restricted access to facilities could access the public media labs and receive the tutorial help they needed from hired assistants. The laboratory supports dozens of cutting-edge programs for work in graphic design, digital imaging, to sound and video editing. In 1997, the university merged Audio-Visual Services with Computer Services to create IITS (Information and Instructional Technologies). In 2001, the lab's new head, Andrew McAusland slashed the operating budgets of the laboratory.

As Dent reports: "As a result, the Media Laboratory had to restrict operational hours, reduce staff and hold off on updating software and hardware. McAusland also began an aggressive campaign to transfer the labs outside the jurisdiction of IITS. He recently attempted to justify this move by claiming that 95% of the lab's users come from the faculty of Fine Arts. However, statistics on laboratory usage show that Fine Arts figure between 65-70% of total laboratory users. And that figure may simply reflect the fact that most students outside of Fine Arts are unaware of its existence."

What effect this transfer has is to undermine what's supposed to be a universal service, meaning that anyone in the university should be able to gain access. As Dent reports: "The decentralization of this service can be seen as part of a larger project to make the university more profitable. The trend is to tie facilities and services directly to paid courses, and then introduce user fees. This way, students underwrite laboratory costs while the university saves money on central services. It also means that students only gain access to these facilities if they are currently enrolled in a particular course or program that is underwriting the laboratory. In essence, it's like saying that you can't have access to Art History books unless you are currently enrolled in an Art History or Fine Arts course. And then, only if you've paid up your library user fees."

Although there are Media Labs at Loyola, these do not fulfil the needs of downtown students. This

privatized so-called “universal service” is nothing less than a substantial loss of potential skill-building, education and access to resources for Concordia University students.

### C. CONCORDIA FOUNDATION

Students pay money into the Capital Campaign every year, which amounts to about \$1 million in annual dues. The purpose of the Capital Campaign is to raise at least \$55 million in capital funds for endowment, physical facilities, equipment, academic programs, research and student financial aid.

It was decided that students will contribute \$1.50 per credit in the first year of the Campaign to maximum annual contribution of \$45. In year 2, the per credit amount was \$1.75 to a maximum annual contribution of \$52.50. For the third year and thereafter, including the 2002–2003 academic year, the fee structure is \$2 per credit to a maximum annual contribution of \$60.

However, where this money is invested is anyone’s guess. The Concordia Foundation, a private corporation, refuses to provide budgetary information to students, its major contributors.

### D. eCONCORDIA

Welcome to Concordia University’s private, online university, headed by none other than the man who pushed for the privatization of the Media Labs, Andrew McAusland. eConcordia is owned by the Concordia Foundation, which lent them their \$1 million start-up capital. Just over a year old, there are five classes being offered now with promises of more to come next year.

The internet classes offered are purchased from Concordia professors, and then an online version is created. The courses cost about the same price as regular classes, and \$300 for non-credit classes.

But, according to an article in the *Link* (March 25, 2003) by Steve Faguy, “Despite operating for over a year, neither eConcordia’s bylaws nor its use of the Concordia name have been approved by the University’s highest governing body,” the Board of Governors. In fact, the *Link* article quotes Chae Dickie-Clark, computer science student and one of the four students who sits on Concordia’s Board of Governors, raising many important, yet unanswered questions about eConcordia.

For example, Dickie-Clark wants to know who has ownership of these course materials that are sold to the private corporation, “adding that if the intellectual property would be paid only once, eConcordia could profit off professors’ work.” This issue is that professors tend to reuse the same material year after year, but they still get paid for teaching their courses. If they sell their material to eConcordia, the company would only have to pay for it once and could use it as many times as it likes.

Another important question Dickie-Clark raises is why these online courses are for-profit. Why doesn’t Concordia University offer these services if they believe them to be important? Is it to get around the law? To be protected by private incorporation?

### E. CON.U AS LANDLORD

Concordia University has been investing money in property for many years. It owns many of the annexes that line Mackay and Bishop Streets, as well as the Second Cup on the corner of Mackay and de Maisonneuve and the Faubourg on St-Catherine.

Although property may be a safe investment, the property around Concordia University is in desperate demand by students. There are clubs and associations that have been on the waiting lists for years to get office space. Other clubs share broom-size closet offices with 15-20 people. Since Concordia has no student center like other universities do, the places are few and far between where students can hang out, work together and socialize: all things vital to an active student life. Concordia University is depriving students of student space in order to profit off property.

While this issue may not strike as politically or racially motivated, what touches all, affects us all.

### 3.5 SYSTEMIC AND STRUCTURAL RACISM: THE BOARD OF GOVERNORS (BoG)

The issue of representation on the BoG has been an issue for students and staff for almost a decade. Let’s look at some of the problems:

There are two representatives of all non-academic staff on the Board of Governors. The Concordia University Faculty Association (CUFA) includes four representatives on the board.

Part-time faculty under the Concordia University Part-time Faculty Association (CUPFA) number between 800-1000 and are an integral part of the Concordia community. Yet, they share only one non-voting seat on the board.

Then, there are the “community at large” members, of whom 19 are CEOs of corporations, out of a possible 23 members. Eighteen of these members are older white men. The issue of representation here is not only a matter of class privilege, it is a matter of racial privilege, as well. In order to become a board member, one has to be nominated by the current board. This current board will want to elect those who could prove to be assets to the university, namely, other wealthy people, and those wealthy people will probably be, given the income averages across racial lines, white.

Manon Tremblay, Director of the Centre for Native Education, had this to say about the issue of representation on the board: *“One of the reasons there are no Aboriginal people on the Senate or BOG, [is because] you have to have achieved a certain standing in life to be able to be part of these boards. And unfortunately, because of our history of oppression in Canada, we don’t have many members of our communities who have achieved that standing that universities are looking for. It is one of the major reasons that we don’t sit on Senate or on Boards.”*

Why doesn’t “community at large” mean community members? Why don’t community members

represent the actual demographics of the community? With 5,000 Muslim and Arab students, shouldn't one fifth of the board reflect this?

The consequences of having an unrepresentative board can also lead to discrimination against those who do not share the same socialities as the dominant group. This prevents the full participation of those minority members, securing the power of the dominant group. Tokenism, therefore, will not change the systemic, structural problem of under-representation of community demographics, nor the inequalities of distributions of power on the highest decision-making body of the university.

### **3.6 EMPLOYMENT EQUITY AND PRIVATIZATION**

There are two general pieces of legislation that employment equity programs fall under: federal and provincial. Any institution that gets funding from these governments must conform to these agreements, and submit reports attesting to this fact. There is a federal report on the Concordia Human Resources website called Federal Contractors' Programme 1996 Report. The target groups in the legislation are women, Aboriginals, physically and mentally challenged, and visible minorities. Provincial legislation covers the same, except for mentally and physically challenged people, who are covered in separate legislation and include linguistic minorities in their place.

Collective agreements are more local agreements of labour relations, usually negotiated by unions, that almost always include non-discrimination clauses, in terms of promotions, etc. This is the route most people follow, unless they have a major issue on their hands, and then they might go to the Human Rights Commission of Quebec to try their bosses under larger bodies.

Concordia University measures up quite well to federal employment equity laws. According to Rick Bissaillon, Information Coordinator, Employment Equity at Concordia University's Human Resources department, "across the board, we are ahead on women and visible minorities," as evidenced in the Federal Contractors' Programme 1996 Report. Bissaillon comments that, "this is an incredibly diverse urban institution and one would expect this to be reflected in our demographics."

However, if there is one thing holding the university back from meeting the principles of employment and salary equity, it is the cuts to post-secondary funding education. As Federal Contractors' Programme 1996 Report states: "These cuts have substantially reduced the number of new staff that have been hired at all levels and in all categories." For example, in Fall 1995, 123 staff retired, taking advantage of Early Retirement Incentive Programmes, and all of these positions were then closed. The Report states: "Although the university recognizes

that opportunities will exist for renewal and diversification of its workforce, it can no longer expect increasing its staff and faculty complement and would have to make use of its internal resources before resorting to hiring external candidates."

Other agreements may also trump these federal and provincial agreements. But, "although unionization has put some constraints on the hiring and promotion of staff, it has also put in place clear principles of employment equity and non-discrimination in the workplace." These internal hirings, however, may also be promoting the usual suspects throughout the university structure. Manon Tremblay expressed frustration at this inaccessibility of these positions to Aboriginals:

*"Concordia is not meeting its quota in Aboriginal people like the rest of Canada. They come up with excuses as to why they can't, and very often they will lay the blame on us, that we are simply not applying, but maybe they are not looking in the right place. They say that we do not have the*

*educational or experience background and that they are not willing to compromise. We get this from all corporations, not just from Concordia, we have corporations telling us that they have all these wonderful jobs to offer to Aboriginal people, and then they tell us the criteria, an MBA with 6 years of experience and 4 languages spoken. They'll never find a single person. Here at Concordia they will tell us that they can't hire externally because we have all these unions that prevent us from doing it, well then you will never get another single Native person in. Because there are no native people internally; it is a vicious cycle. Why do we have these employment equity programs if you can't hire them?"*

One area that has not been addressed by the federal law is that of multiple disadvantaged groups (not just women, but women of colour; not just Aboriginal peoples, but Aboriginal women, etc.). It is precisely this situation that must be rectified in the future.

In terms of pay equity legislation, Concordia also seems to be doing quite well, according to the Federal Report. The Job Evaluation Program (JEP) has "decreased wage disparity between male and female employees classified within a particular position." Also, the Joint Pay Equity Study Report concluded that tenure and tenure-track faculty members saw "substantial increases to female faculty in all faculties and professional libraries."

### **3.7 "FREE" TRADE**

In November 2001, the Canadian Association of University Teachers (CAUT) put out a press release about a "powerful international coalition of universities in North America and Europe" that issued "a joint declaration calling on governments to keep education services off the table during trade negotiations now underway at the World

Trade Organization in Geneva."

The Association of Universities and Colleges of Canada, the American Council on Education, the European University Association and the Council for Higher Education Accreditation announced that no country should make any commitments in education under the WTO's General Agreement on Trade in Services (GATS).

At its heart, "the GATS is an agreement that commits members to a liberalization agenda". This agenda is implemented not only by eliminating barriers to trade and investment, but also by encouraging domestic liberalization in the form of privatization, contracting out of public services, and deregulation. This poses a number of risks for institutions of higher learning. At its extreme, if higher education was fully covered by both the general and specific obligations of the GATS, some of the measures that would be exposed include:

- conditions relating to nationality (such as the requirement in hiring procedures that preference be given to citizens or landed immigrants, or that seats on university boards of governors be limited to local citizens);
- regulations that require a minimum number of higher education instructors and staff to be citizens or landed immigrants;
- restrictions on the presence of foreign institutions;
- regulations that require foreign higher education providers to partner with local institutions;
- tax rules that discriminate against foreign educational institutions;
- restrictions of student loan and student aid programs to citizens or landed immigrants;
- restrictions of research grants and subsidies to domestic universities and colleges or 'natural persons'.

As well, it appears that other elements of the GATS negotiations may also impact on education. The CAUT observes also that "Discussions revolving around electronic commerce, for instance, may directly affect higher education by setting rules that could be applied to technologically-mediated learning or virtual education. As well, discussions on subsidies and cross-subsidization are of concern if the outcome of these talks find that public funding for university researchers, for example, constitutes a subsidy if the result of the research is subsequently marketed." (CAUT website)

The future of the education system, and the question of to what extent post-secondary institutions will remain public, is very closely related to Canada's role in WTO negotiations.

## PART 4

# DEMANDS: POLICY RECOMMENDATIONS AND PROPOSALS FOR ACTION

The following is a series of policy recommendations and proposals for action. They intend to hold Concordia University to its status as a public institution accountable to a society that values the principles of freedom, equality and liberty. Given that allegations of institutional racism and discrimination have plagued the University since 1969, we believe that it is now time for members of the Concordia community (i.e. students, faculty and staff) and the community-at-large to reclaim democratic control of their institution and commit themselves and whatever resources are required to addressing racism and discrimination on campus.

The administration's position in response to the events of September 9 was to attempt to restore the "status quo" to the University. The CSU executive, on the contrary, is advocating for a complete and total overhaul of the status quo at Concordia University. The CSU executive believes that it is time for the finger pointing to end and for the entire community to accept responsibility for the events of September 9. The key is to work together in order to honestly address the root causes of problems, which is contrary to what has been happening at Concordia University until today. The CSU executive believes that, in the face of the current crisis, all members of the Concordia community have the responsibility to take collective control of their institution and make it more democratic, more accountable and more accessible to the public than it has ever been before.

### 1. Independent and public inquiry into racism and discrimination at Concordia University

On March 5, 2003, a Concordia Student Union General Assembly voted in favour of holding an independent and public inquiry into racism and discrimination at Concordia University.

The motion read as follows:

*Whereas in the spring 2001 the CSU council of representatives called for an independent and public inquiry into racism and discrimination against Arab and Muslim students at Concordia, based on an alarming number of complaints it had received over the previous year, and;*

*Whereas the University refused to participate in such an inquiry, citing a "lack of evidence", and;*

*Whereas since this time the University*

*administration has refused numerous calls made by student representatives, in a variety of forums including the board of governors and university senate, for an independent and public inquiry into all forms of racism and discrimination at Concordia, and;*

*Whereas the CSU has also been accused of anti-Semitism;*

*Be it resolved that this CSU Special General Meeting hereby endorse the following statement of demand;*

*We the students of Concordia University oppose all forms of racism and discrimination and believe that our student union and our university administration should be proactive in seeking to expose, confront and abolish all forms of racism and discrimination within the Concordia community;*

*Furthermore, we believe that a lasting calming of the current tensions on campus cannot be achieved without an honest, open and independent assessment of the extent of racism and discrimination at Concordia. The University's complacency in addressing the matter has only exacerbated these tensions;*

*We therefore demand that the University Administration immediately agree to work with the Concordia Student Union to organize an independent and public inquiry into all forms of racism and discrimination at Concordia University.*

*The inquiry panel should be composed of one representative chosen from the student union, one from the University and a chair that is acceptable to both the student union and the University.*

Since the March 5th General Assembly, the CSU negotiating team has met with various administrators. There has yet to be any official commitment from the University to hold this inquiry or any other process that would legitimately assess the reported problems of racism at Concordia.

### 2. Independent and public inquiry into the events of September 9, 2002

Presented here in this report is an alternative version of the events of September 9, 2002. The CSU executive calls for the administration to recognize the contents of this report and to pursue the proper internal methods of inquiry and investigation into administrative

misconduct, as outlined in this report. Violated codes are presented in Section 7 of Part II.

The CSU also calls for the administration to support an investigation into any and all forms of police misconduct that occurred on September 9th 2002. Police brutality is unacceptable and must be dealt with as the serious criminal offense that it is. Footage is available in the CSU archives for viewing upon request. It shows aggressive, violent and unprovoked attacks perpetrated by the Montreal police. Without the official acknowledgment from the university that there has yet to be an honest and thorough assessment of the September 9 events, the Concordia community will be left in the dark as to what actually happened on that day. This history is part of the collective memory of Concordia students and should be made public for everyone to see.

### **3. Dismissal of all charges under the Code of Rights and Responsibilities and any other sanctions stemming from the events of September 9, 2002**

There are a number of very good reasons to drop the sanctions against the protesters. The first reason is the politically motivated choice of students and non-students to charge. Although there were dozens of easily identifiable students on the escalators that day, the students charged are almost all active on campus – the head of SPHR, three CSU executives, an outspoken, nationally known social justice organizer, the coordinator of Concordia's soup kitchen and so on. The deliberate choice of these students has had major repercussions on their lives, including academic disruption and even possible deportation, in one extreme case.

In addition to this, the trials that these students stood were rife with controversy and there are residual questions about the legitimacy of some of the verdicts. Finally, to hold only the protesters responsible for the events of September 9th, 2002 is to deny the University's substantial responsibility for the unfolding of these events. Meaningful progress cannot be made in addressing current tensions on campus while one party childishly refuses to accept any of its responsibility in the matter.

### **4. Community control of campus security**

As long as there is a public perception that University security acts only as, and at times a violent instrument, of the senior administration, there will be no lasting calm to the current tensions on campus. For this perception to be changed, the Concordia University security department must be fundamentally restructured such that all of its decisions including hirings, when and if to call police to campus, must be accountable to the entire Concordia community and not only its senior administration.

This report has documented several cases that would serve to support this recommendation. We have seen how campus security has ignored complaints of

harassment filed by Palestinian students, but has gone to great lengths to have these same students accosted and/or arrested on the flimsiest of pretexts. The Jan. 20th arrest of Jaggi Singh, an ally of SPHR who has been charged for the assault of two Concordia security guards, particularly highlights the question of whether or not campus security is being pressured from above to help crack down on dissent on campus. After all, why did it take the security guards over four months to press charges against Singh?

Therefore, we recommend a total restructuring of the Security Department policies and decision-making processes to allow input from faculty, students and staff. This demand is a crucial one: all members of the Concordia community must feel safe on campus. Several cases presented in this report indicate that there is sufficient evidence to warrant an investigation into racism within the Concordia security department.

The CSU also demands that the University ban the presence of police officers on campus unless there is an incident of extremely dangerous violence. The shameful conduct of the police on September 9, and the respective arrests of CSU VP Communications, Yves Engler, for tabling on the mezzanine about corporate globalization during the moratorium (see section 3.3C); of social justice activist Jaggi Singh for an infraction he supposedly committed four months earlier (see section 3.3D); and of Palestinian student Nidal Aloul (see section 3.3E); are all very important examples of why police should be called onto campus only in the direst of situations, not to support the charade of administrative crackdowns that militarize our university campus and serve only as embarrassment to our institution.

### **5. Democratic reform of the University Board of Govenors**

On November 3, 1999, a CSU general assembly voted in support of the democratization of educational governing structures where representatives will be elected in the following ratios: 1/3 students, 1/3 faculty, 1/3 support staff. Students went on a three-day strike in support of this demand and the time for it to be actualized is now.

### **6. Complete and public disclosure of all university financial transactions**

As matters currently stand, many of the University's financial operations occur under a veil of secrecy. This is a negative practice in itself as it denies the public the right to access information about a public institution. It also has implications for race-relations on campus, in that it denies the public the right to see what financial interests may be influencing the University's decisions with respect to issues of racism on campus. The University has refused to open the books on the private not-for-profit corporations that it holds, such as the

Concordia Foundation Inc. This is particularly ironic, given that students have contributed \$10 million in involuntary “donations” to the Foundation through the “Capital Campaign fee”. The University has also refused to open the books on the private for-profit corporations owned by Concordia or the Concordia Foundation Inc. One such for-profit venture is eConcordia. eConcordia offers courses for credit towards a Concordia degree, but for financial purposes, it is a private enterprise and as such is not subject to the same Access to Information laws as public institutions.

We are asking that Concordia University open the books on all of its private not-for-profit and for-profit corporations, and the corporations owned by them.

## **7. Administration, staff and faculty work with students to resist corporate control of our campus.**

The CSU demands that the University administration join students in their fight to keep universities public. The off-loading of expenses from the federal government onto the provinces has created a crisis in the education system. As universities struggle to stay in the black, privatizing their services and facilities in an effort to stay “competitive” and afloat. The CSU demands federal transfers to restore the university to a fully public funded and spirited institution. This includes the dismantlement of corporate-sponsored departments and programs in the spirit of independent research and innovation, as well as, resistance to the piracy of intellectual property rights being obtained at bargain prices through student labour.

This also means that the CSU calls on the University to join in the struggle against international trade agreements, such as the WTO and the FTAA, which legalize and promote policies whose aims seek to further entrench the control of the private sector over public institutions.

## **8. Office of Rights and Responsibilities: Scrap The PR Centre**

When asked why she did not go to the Office of Rights and Responsibilities to report racial discrimination, one student replied, “*because the university bodies that are supposed to deal with these things do not take allegations of racism and discrimination seriously. They dismiss these claims, in fact, quite condescendingly. It's demeaning. They ask, sceptically, Are you sure it was racism? And here you've been abused, you go to great lengths to find the right people to tell, take time out of your life to do so, all for nothing. That's when you find out that the professor that you're complaining about has tenure, or is on tenure-track and you can't do anything about it. And people don't believe you, anyway. They want finger-print evidence. The system doesn't work, it's a waste of time.*” Another problem that this student pointed out about the Office are the incredible safeguards for professors and

accused that are put in place. The files are kept confidential so no trends can be detected when filing your own complaint. Students, on the other hand, are open season for backlash, creating an intimidating atmosphere for students to come forward and become known as “troublemakers.” Who would want to risk everything for nothing?

Another student, Clayton Schmidt, went to the Office of Rights and Responsibilities when he was having a problem with his teacher's assistant (T.A.). After a couple of extremely heated altercations with his T.A., including physical abuse, he was ready to explore avenues of disciplinary action to deal with his escalating problem. He first told the Advisor Peter Côté that he thought that discrimination based on his physical appearance was a factor in the case. Clayton wears a black leather jacket and dark, dishevelled clothes. Côté immediately advised him to forget about the discrimination charges, telling him that they were impossible to prove, and probably an unlikely factor in his case. Côté further advised him to pursue a course of informal mediation with the T.A. and Clayton was eventually convinced this was his best recourse. Clayton told Côté that he would not continue with the process of filing charges. Côté asked permission from Clayton to keep a copy of the complaint and Clayton eventually agreed, considering that the meeting was to be confidential, and that therefore Côté would respect this confidentiality.

Clayton and his T.A. managed to sort through their conflict without the use of a mediator. At one point, Clayton's T.A. mentioned that Clayton had complained about him at the Office of Rights and Responsibilities. Clayton tried not to show his surprise. Côté had broken his confidence and told the head of the department, who also happens to be the teacher that this man was T.A.-ing for, who then told the T.A. what was going on. Disgusted, Clayton says, “if I were sticking around at this school, that could have ruined my whole academic year. The chair and probably half of the department know me now as a troublemaker”. This incident with the T.A. and Côté has in fact helped convince Clayton to make this year his first and last at Concordia. He is still sorting things out with the Office of Rights and Responsibilities.

The Office of Rights and Responsibilities has primarily been upholding the integrity of the institution at the expense of students. Therefore, students are met with scepticism regarding their allegations of discrimination; the burden of proof always falls on them.

Even if their allegations of discrimination are acknowledged, students are always encouraged to deal with conflict informally, no matter how severe the discrimination suffered, so that the reputation of the university is not tarnished. Manon Tremblay, from the Centre for Native Education at Concordia has helped several students through this process. She has this to say about it:

*We have had two particular instances where the students*

*have had to revert to them, and the students were not satisfied with the course of action that was proposed to them.*

[Did they feel like the action didn't address their concerns?]

*Exactly. They felt that it didn't go any further, that it didn't go far enough.*

[What is your impression of what the Office of the Rights and Responsibilities is meant to do, because it seems like they often encourage informal resolution processes. Usually they do it off the record, i.e. let's talk this out... ]

*Exactly. Let's talk this out. Usually the idea is that, and this is probably the same with an awful lot of students, the idea is that if they resort to the Office of Rights and Responsibilities, they have tried other avenues and other avenues have failed. When they get to the Office of Rights and Responsibilities and they are being told, let's do this informally this is not what they want to hear. They want to say, we have tried this already and it has not worked, I have spoken to the professor personally, this professor does not listen, I spoke to the head of department who does not want to have anything to do with this, now I am speaking with you and you are telling me to go back to square one, and go speak to the professor and do this informally! They are not happy with this because they want to see some action because they have invested their time to go through the steps.*

[Do you think part of it is because [the Office] is part of the university apparatus and that they want it to stay off the record?]

*It is possible, that they are bogged down in bureaucratic red tape, I don't know. I think that part of it, and I might get in trouble for saying this, I think that part of this is the fact because we are Aboriginal, and this is the year 2003 or whatever year it is this happened, [and] a lot of people have a hard time understanding that discrimination against First Nations people can still exist in this day and age, but it does. So they minimize our problems, and the problems that we do have they don't consider to be serious enough to address in a competent manner. I think this is what is going on.*

Peter Côté, the newly-appointed Advisor of the Office of Rights and Responsibilities, says that his job "is the Code" (of Rights and Responsibilities), and the definition of discrimination, racial and otherwise, is derived from the Quebec Charter of Rights and Freedoms. However, the Advisor, a former chaplain, has no legal expertise to interpret the Charter, nor does every case of harassment constitute a violation of its articles. We can all probably recognize the validity of certain forms of discrimination that can seriously affect students' lives, yet

do not necessarily need to be prosecuted in a court of law. The charges must be recognized, and full disclosure must be made of professors or staff whose files are filled with these allegations.

In addition to the inefficacy of the office, another issue is of representation. When a person of colour brings an allegation of racial discrimination to someone with white-skin privilege, there will probably be a discrepancy between how the person with white-skin privilege identifies racism and how the person of colour does. This could affect one's ability to handle these cases. Manon Tremblay comments:

*One of the major barriers to them not going further is that they are not dealing with Aboriginal people when they go further, there are no Aboriginal heads of departments, the head of Rights and Responsibilities is not Aboriginal, there aren't very many, the Aboriginal people in this university can be counted on one hand, including me, so obviously it is a great big barrier to go because they feel as though they will not be understood. Very often they have had experiences that when they do bring it to other people they are told that they are being paranoid. That this cannot possibly be happening when it obviously is.*

In fact, it was the events of 1969, the Computer Center occupation, that forced the university administration to re-evaluate their internal conflict resolution procedures. Following '69, student representation on university decision-making bodies was firmly established and in April 1971, Sir George Williams adopted the University Regulations on Rights and Responsibilities, and the Ombud's Office was created. The Ombud's Office is meant to deal with any complaints regarding academic procedures and policies at the university. By December 1977, Concordia University approved a university-wide Code of Conduct and new terms of reference for the Ombud's Office.

The position of Advisor on Rights and Responsibilities was created in 1996. The Advisor reports directly to the Rector and has three main functions: to advise and assist university members who have a problem related to someone's behaviour; to receive and expedite formal complaints; and to co-ordinate the university's response to any situation where someone's behaviour may pose a danger to others. Sally Spillhaus developed the position, and on December 2nd, 2002, Peter Côté, Concordia Chaplain since 1986, took over.

When Spillhaus was the Advisor, she was once forced to address the charges of systemic racism against Muslim and Arab students levelled against the administration by the CSU, who called for a commission of inquiry into the matter on the grounds and that existing structures to deal with complaints were ineffective, or that students had lost faith in them. Many of the complaints filed did not fall under the Code, though, according to Spillhaus. However, Spillhaus "took the time to listen to the students' concerns to acknowledge their sense of

outrage, to discuss the broader situation with them and to explain the scope and limitations of the Code.

"An effort was made to differentiate between the expressions of opinion, however offensive to some, and personally targeted harassment. Questions of jurisdiction were explained, some were encouraged and went away feeling supported and with a better understanding of the issues. Others were not satisfied and expressed their frustration that the university would not do something".

When Peter Côté was interviewed in January 2003, members of Hillel and SPHR had already approached him regarding racism on campus. Each group accused the other of being racist in the form of posters or comments. Côté responded, much in the spirit of Spillhaus that, "Every such incident does not necessarily constitute discrimination or harassment, in a context of freedom of expression people will say things, or people will print things that you object to or dislike. That's the reality and nature of a free society. That doesn't mean you can always respond in a formal way to the outrage that particular individuals are feeling."

There are two critical issues at stake here: loss of faith in the interlocutors of the institution; and a lack of mediators on campus that understand how to deal with political conflict.

The loss of faith happens when students' complaints go unrecognized or unsupported. Just because a case is not prosecutable under the Quebec Charter of Rights and Freedoms, does not necessarily mean the quality of a student's life is not being affected by the alleged harassment. Although it is understood that not every case can be deemed an offense, more efforts need to be made to support the students' rights, as students are the ones with little power in these situations and come to the office as a last resort to get help.

The second issue pertains to the nature of the conflict on campus. When asked whether he characterizes the conflict as religious-based, Côté replied: "The debate has been on a political level, not a religious level. I have not seen Jewish students and Jewish student groups slurring Islam, nor have I seen Palestinian students groups and Muslim [student groups], and the MSA, or people involved in the larger Muslim community in Montreal, slurring Judaism."

If the debate on campus is a political conflict, what can the Advisor do? The university administrators don't seem to know, either. They are trained bureaucrats. For the most part, they have no training in human relations, or conflict resolution, or even sociological studies. Most of them have business and management degrees. Therefore, they defer the boiling political and racial conflict on campus to an office that is not equipped nor mandated to deal with such situations. The administration itself must learn how to listen to students' demands, to recognize them, to negotiate in good faith, and heed the calls for an independent inquiry into racism. A truth and reconciliation commission between feuding groups on campus, and the democratization of the university are also crucial to the

health of this institution.

While some argue that it is up to the students to calm down and show respect for the institution, people must realize that while these traditions of behaviour within the institution are deeply ingrained, that rebellion, resistance and protest are also practices that are just as traditional, ingrained and essential to a just society.

Therefore, Côté's fundamental misunderstanding of student life will affect his capacities as an Advisor. His perspective on the student's role within the university is that "the best thing they could do for their cause is to study hard, get a good degree, get out into the world and really be in a position to make a difference." He concludes: "Concordia has gotten a lot of media in recent years, but this is not where the Middle East issue is going to be resolved."

The question is not of resolving the Middle East conflict on Concordia campus, it is about recognizing the demands of students, some of which are clearly stated in this report.

## CONCLUSION

This report is not an exhaustive study of racism at Concordia University; it is primarily a survey of different types of racism that exist, with a particular focus on Arab and Muslim students. What is required to supplement this survey is a thorough investigation of racism as it is experienced by all particular groups of Concordia students, with the teeth to ensure that proper action is taken.

I want now to return briefly to the three creatures I introduced in the introductory section of the report. I recommended that the third creature, who learned that categories could open, close and change, represents the appropriate spirit for the reader to approach a report on racism. It is in the same spirit that I now recommend that the reader approaches encounters in her or his own life of allegations of racism, or accusations of discrimination: with the desire to want to understand how others see and experience the world and the courage to be able to shape and re-shape her or his own perceptions.